LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the acting majority leader about the schedule for the remainder of the week and, if possible—if he knows—about what will obtain during the following week.

Mr. HUMPHREY. It is our plan to take up, tomorrow, Calendar No. 216, Senate bill 684, to clarify certain provisions of the Interstate Commerce Act. If there are to be any yea-and-nay votes or if amendments which necessitate yea-and-nay votes are offered, we shall put off the yea-and-nay votes until next Monday. However, we shall attempt to complete all other legislative action on that bill by Thursday, tomorrow—but if we are unable to do so, we shall have to meet on Friday—with the exception of legislative action by means of yea-and-nay votes. In other words, in connection with Calendar No. 216, Senate bill 684, on tomorrow we shall try to take final action on all matters which do not require yea-and-nay votes; but if we are unable to do so, we shall have to have a session on Friday. However, I do not think we shall have to face that possibility. On Monday, we shall have the yea-and-nay votes, if such are required.

Mr. DIRKSEN. Mr. President, will the acting majority leader yield further?

Mr. HUMPHREY. Of course.

Mr. DIRKSEN. Is it the plan, then, to go from Thursday to Monday?

Mr. HUMPHREY. Yes.

When we complete our business today, I shall move that the Senate adjourn until noon, tomorrow.

ORDER FOR ADJOURNMENT TO NOON, TOMORROW

Mr. HUMPHREY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow, at noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. HUMPHREY. From Thursday, we shall go over until Monday, if on Thursday we finish all but the yea-and-nay votes—if any there be—on Calendar No. 216, Senate bill 684.

In response to the question asked by the minority leader, I may say that we hope to take up, next week, the Export-Import Bank bill. It has recently been reported, and is on the calendar.

There is also the possibility that we shall take up Calendar No. 230, Senate bill 1163, to amend certain provisions of the Area Redevelopment Act.

These are the two key measures which we would hope to dispose of next week.

Mr. DIRKSEN. I understood the latter measure was set for Tuesday.

Mr. HUMPHREY. We have tentatively set the area redevelopment bill for Tuesday. That is subject to change; and we shall know by tomorrow.

Mr. DIRKSEN. Yes.

ADJOURNMENT

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment, under the order previously entered, until tomorrow, at 12 o'clock noon.

The motion was agreed to; and (at 7 o'clock and 9 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, June 20, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 17, 1963:

POST OFFICE DEPARTMENT

Sidney W. Bishop, of California, to be Deputy Postmaster General, vice H. W. Brawley.

DEPARTMENT OF THE AIR FORCE

Alexander Henry Flax, of New York, to be an Assistant Secretary of the Air Force, vice Brockway McMillan.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 19, 1963:

IN THE PUBLIC HEALTH SERVICE

The nominations beginning Michael Canelis to be senior surgeon, and ending Bernard W. Dahl to be assistant sanitary engineer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 4, 1963; and

The nominations beginning Alfred S. Nelson to be senior surgeon, and ending Richard A. Mackey to be senior assistant health services officer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 4, 1963; and

The nominations beginning Alice M. Waterhouse to be medical director, and ending Heber J. R. Stevenson to be senior health service officer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 11, 1963.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 19, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Thessalonians 3: 12: *The Lord make you to increase and abound in love one toward another and toward all men.*

Most merciful and gracious God, give us this day a clear insight into what is worthwhile and a scale of moral values that we can carry into the tasks and struggles of each new day.

Make us more sensitive and responsive to our high calling to respect and reverence human personality and advance its welfare.

Grant that we may give to all the members of the human family an equal opportunity and chance to develop their inborn capacities to the utmost.

May we have broad horizons that will link our life with the whole social order, made up not only of the life of our fellow men around us but also of those who have lived before us and those yet unborn.

Show us how we may release our minds from every trace of suspicion, prejudice, race-hatred, and from all those animosities which destroy happiness and impede the world's progress toward a nobler civilization.

In Christ's name we offer our prayer. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on June 13, 1963, the President approved and signed bills of the House of the following titles:

H.R. 249. An act to amend section 632 of title 38, United States Code, to provide for an extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans; and

H.R. 5366. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1964, and for other purposes.

COMMITTEE ON APPROPRIATIONS—REPORT ON DEPARTMENT OF DEFENSE APPROPRIATION BILL

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Friday, June 21, to file a privileged report on the bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1964.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FORD reserved all points of order on the bill.

CIVIL RIGHTS AND JOB OPPORTUNITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 124)

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, together with the accompanying papers, referred to the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

Last week I addressed to the American people an appeal to conscience—a request for their cooperation in meeting the growing moral crisis in American race relations. I warned of "a rising tide of discontent that threatens the public safety" in many parts of the country. I emphasized that "the events in Birmingham and elsewhere have so increased the cries for equality that no city or State or legislative body can prudently choose to ignore them." "It is a time to act," I said, "in the Congress, in

State and local legislative bodies, and, above all, in all of our daily lives."

In the days that have followed, the predictions of increased violence have been tragically borne out. The "fires of frustration and discord" have burned hotter than ever.

At the same time, the response of the American people to this appeal to their principles and obligations has been reassuring. Private progress—by merchants and unions and local organizations—has been marked, if not uniform, in many areas. Many doors long closed to Negroes, North and South, have been opened. Local biracial committees, under private and public sponsorship, have mushroomed. The mayors of our major cities, whom I earlier addressed, have pledged renewed action. But persisting inequalities and tensions make it clear that Federal action must lead the way, providing both the Nation's standard and a nationwide solution. In short, the time has come for the Congress of the United States to join with the executive and judicial branches in making it clear to all that race has no place in American life or law.

On February 28, I sent to the Congress a message urging the enactment this year of three important pieces of civil rights legislation:

1. Voting: Legislation to assure the availability to all of a basic and powerful right—the right to vote in a free American election—by providing for the appointment of temporary Federal voting referees while voting suits are proceeding in areas of demonstrated need; by giving such suits preferential and expedited treatment in the Federal courts; by prohibiting in Federal elections the application of different tests and standards to different voter applicants; and by providing that, in voting suits pertaining to such elections, the completion of the sixth grade by any applicant creates a presumption that he is literate. Armed with the full and equal right to vote, our Negro citizens can help win other rights through political channels not now open to them in many areas.

2. Civil Rights Commission: Legislation to renew and expand the authority of the Commission on Civil Rights, enabling it to serve as a national civil rights clearinghouse offering information, advice, and technical assistance to any public or private agency that so requests.

3. School desegregation: Legislation to provide Federal technical and financial assistance to aid school districts in the process of desegregation in compliance with the Constitution.

Other measures introduced in the Congress have also received the support of this administration, including those aimed at assuring equal employment opportunity.

Although these recommendations were transmitted to the Congress some time ago, neither House has yet had an opportunity to vote on any of these essential measures. The Negro's drive for justice, however, has not stood still—nor will it, it is now clear, until full equality is achieved. The growing and understandable dissatisfaction of Negro citizens with the present pace of desegregation, and their increased determination to secure for themselves the equality of opportunity and treatment to which they are rightfully entitled, have underscored what should already have been clear: the necessity of the Congress enacting this year—not only the measures already proposed—but also additional legislation providing legal remedies for the denial of certain individual rights.

The venerable code of equity law commands "for every wrong, a remedy." But in too many communities, in too many parts of the country, wrongs are inflicted on Negro citizens for which no effective remedy at law is clearly and readily available. State and local laws may even affirmatively seek to deny the rights to which these citizens are fairly entitled—and this can result only in a decreased respect for the law and increased violations of the law.

In the continued absence of congressional action, too many State and local officials as well as businessmen will remain unwilling to accord these rights to all citizens. Some local courts and local merchants may well claim to be uncertain of the law, while those merchants who do recognize the justice of the Negro's request—and I believe these constitute the great majority of merchants, North and South—will be fearful of being the first to move, in the face of official, customer, employee, or competitive pressures. Negroes, consequently, can be expected to continue increasingly to seek the vindication of these rights through organized direct action, with all its potentially explosive consequences, such as we have seen in Birmingham, in Philadelphia, in Jackson, in Boston, in Cambridge, Md., and in many other parts of the country.

In short, the result of continued Federal legislative inaction will be continued, if not increased, racial strife—causing the leadership on both sides to pass from the hands of reasonable and responsible men to the purveyors of hate and violence, endangering domestic tranquillity, retarding our Nation's economic and social progress, and weakening the respect with which the rest of the world regards us. No American, I feel sure, would prefer this course of tension, disorder, and division—and the great majority of our citizens simply cannot accept it.

For these reasons, I am proposing that the Congress stay in session this year until it has enacted—preferably as a single omnibus bill—the most responsible, reasonable and urgently needed solutions to this problem, solutions which should be acceptable to all fair-minded men. This bill would be known as the Civil Rights Act of 1963, and would include—in addition to the aforementioned provisions on voting rights and the Civil Rights Commission—additional titles on public accommodations, employment, federally assisted programs, a community relations service, and education, with the latter including my previous recommendation on this subject. In addition, I am requesting certain legislative and budget amendments designed to improve the training, skills and economic opportunities of the economically distressed and discontented, white and Negro alike. Certain executive actions are also reviewed here; but legislative action is imperative.

I. EQUAL ACCOMMODATIONS IN PUBLIC FACILITIES

Events of recent weeks have again underlined how deeply our Negro citizens resent the injustice of being arbitrarily denied equal access to those facilities and accommodations which are otherwise open to the general public. That is a daily insult which has no place in a country proud of its heritage—the heritage of the melting-pot, of equal rights, of one nation and one people. No one has been barred on account of his race from fighting or dying for America—there are no "white" or "colored" signs on the foxholes or graveyards of battle. Surely, in 1963, 100 years after emancipation, it should not be necessary for any American citizen to demonstrate in the streets for the opportunity to stop at a hotel, or to eat at a lunch counter in the very department store in which he is shopping, or to enter a motion picture house, on the same terms as any other customer. As I stated in my message to the Congress of February 28, "no action is more contrary to the spirit of our democracy and Constitution—or more rightfully resented by a Negro citizen who seeks only equal treatment—than the barring of that citizen from restaurants, hotels, theaters, recreational areas and other public accommodations and facilities."

The U.S. Government has taken action through the courts and by other means to protect those who are peacefully demonstrating to obtain access to these public facilities; and it has taken action to bring an end to discrimination in rail, bus, and airline terminals, to open up restaurants and other public facilities in all buildings leased as well as owned by the Federal Government, and to assure full equality of access to all federally owned parks, forests, and other recreational areas. When uncontrolled mob action directly threatened the nondiscriminatory use of transportation facilities in May 1961, Federal marshals were employed to restore order and prevent potentially widespread personal and property damage. Growing nationwide concern with this problem, however, makes it clear that further Federal action is needed now to secure the right of all citizens to the full enjoyment of all facilities which are open to the general public.

Such legislation is clearly consistent with the Constitution and with our concepts of both human rights and property rights. The argument that such measures constitute an unconstitutional interference with property rights has consistently been rejected by the courts in upholding laws on zoning, collective bargaining, minimum wages, smoke control, and countless other measures designed to make certain that the use of private property is consistent with the public interest. While the legal situations are not parallel, it is interesting to note that Abraham Lincoln, in issuing the Emancipation Proclamation 100 years ago, was also accused of violating the property

rights of slaveowners. Indeed, there is an age-old saying that "property has its duties as well as its rights"; and no property owner who holds those premises for the purpose of serving at a profit the American public at large can claim any inherent right to exclude a part of that public on grounds of race or color. Just as the law requires common carriers to serve equally all who wish their services, so it can require public accommodations to accommodate equally all segments of the general public. Both human rights and property rights are foundations of our society—and both will flourish as the result of this measure.

In a society which is increasingly mobile and in an economy which is increasingly interdependent, business establishments which serve the public—such as hotels, restaurants, theaters, stores, and others—serve not only the members of their immediate communities but travelers from other States and visitors from abroad. Their goods come from all over the Nation. This participation in the flow of interstate commerce has given these business establishments both increased prosperity and an increased responsibility to provide equal access and service to all citizens.

Some 30 States,[1] the District of Columbia and numerous cities—covering some two-thirds of this country and well over two-thirds of its people—have already enacted laws of varying effectiveness against discrimination in places of public accommodation, many of them in response to the recommendation of President Truman's Committee on Civil Rights in 1947. But while their efforts indicate that legislation in this area is not extraordinary, the failure of more States to take effective action makes it clear that Federal legislation is necessary. The State and local approach has been tried. The voluntary approach has been tried. But these approaches are insufficient to prevent the free flow of commerce from being arbitrarily and inefficiently restrained and distorted by discrimination in such establishments.

Clearly the Federal Government has both the power and the obligation to eliminate these discriminatory practices: First, because they adversely affect the national economy and the flow of interstate commerce; and secondly, because Congress has been specifically empowered under the 14th amendment to enact legislation making certain that no State law permits or sanctions the unequal protection or treatment of any of its citizens.

There have been increasing public demonstrations of resentment directed against this kind of discrimination—demonstrations which too often breed tension and violence. Only the Federal Government, it is clear, can make these demonstrations unnecessary by providing peaceful remedies for the grievances which set them off.

For these reasons, I am today proposing, as part of the Civil Rights Act of 1963, a provision to guarantee all citizens equal access to the services and facilities of hotels, restaurants, places of amusement, and retail establishments.

This seems to me to be an elementary right. Its denial is an arbitrary indignity that no American in 1963 should have to endure. The proposal would give the person aggrieved the right to obtain a court order against the offending establishment or persons. Upon receiving a complaint in a case sufficiently important to warrant his conclusion that a suit would materially further the purposes of the act, the Attorney General—if he finds that the aggrieved party is unable to undertake or otherwise arrange for a suit on his own (for lack of financial means or effective representation, or for fear of economic or other injury)—will first refer the case for voluntary settlement to the Community Relations Service described below, give the establishment involved time to correct its practices, permit State and local equal access laws (if any) to operate first, and then, and only then, initiate a suit for compliance. In short, to the extent that these unconscionable practices can be corrected by the individual owners, localities and States (and recent experience demonstrates how effectively and uneventfully this can be done), the Federal Government has no desire to intervene.

But an explosive national problem cannot await city-by-city solutions; and those who loudly abhor Federal action only invite it if they neglect or evade their own obligations.

This provision will open doors in every part of the country which never should have been closed. Its enactment will hasten the end to practices which have no place in a free and united nation, and thus help move this potentially dangerous problem from the streets to the courts.

II. DESEGREGATION OF SCHOOLS

In my message of February 28, while commending the progress already made in achieving desegregation of education at all levels as required by the Constitution, I was compelled to point out the slowness of progress toward primary and secondary school desegregation. The Supreme Court has recently voiced the same opinion. Many Negro children entering segregated grade schools at the time of the Supreme Court decision in 1954 will enter segregated high schools this year, having suffered a loss which can never be regained. Indeed, discrimination in education is one basic cause of the other inequities and hardships inflicted upon our Negro citizens. The lack of equal educational opportunity deprives the individual of equal economic opportunity, restricts his contribution as a citizen and community leader, encourages him to drop out of school and imposes a heavy burden on the effort to eliminate discriminatory practices and prejudices from our national life.

The Federal courts, pursuant to the 1954 decision of the U.S. Supreme Court and earlier decisions on institutions of higher learning, have shown both competence and courage in directing the desegregation of schools on the local level. It is appropriate to keep this responsibility largely within the judicial arena. But it is unfair and unrealistic to expect that the burden of initiating such cases can be wholly borne by private litigants. Too often those entitled to bring suit on behalf of their children lack the economic means for instituting and maintaining such cases or the ability to withstand the personal, physical and economic harassment which sometimes descends upon those who do institute them. The same is true of students wishing to attend the college of their choice but unable to assume the burden of litigation.

These difficulties are among the principal reasons for the delay in carrying out the 1954 decision; and this delay cannot be justified to those who have been hurt as a result. Rights such as these, as the Supreme Court recently said, are "present rights. They are not merely hopes to some future enjoyment of some formalistic constitutional promise. The basic guarantees of our Constitution are warrants for the here and now."

In order to achieve a more orderly and consistent compliance with the Supreme Court's school and college desegregation decisions, therefore, I recommend that the Congress assert its specific constitutional authority to implement the 14th amendment by including in the Civil Rights Act of 1963 a new title providing the following:

(A) Authority would be given the Attorney General to initiate in the Federal district courts appropriate legal proceedings against local public school boards or public institutions of higher learning—or to intervene in existing cases—whenever

(1) he has received a written complaint from students or from the parents of students who are being denied equal protection of the laws by a segregated public school or college; and

(2) he certifies that such persons are unable to undertake or otherwise arrange for the initiation and maintenance of such legal proceedings for lack of financial means or effective legal representation or for fear of economic or other injury; and

(3) he determines that his initiation of or intervention in such suit will materially further the orderly progress of desegregation in public education. For this purpose, the Attorney General would establish criteria to determine the priority and relative need for Federal action in those districts from which complaints have been filed.

(B) As previously recommended, technical and financial assistance would be given to those school districts in all parts of the country which, voluntarily or as the result of litigation, are engaged in the process of meeting the educational problems flowing from desegregation or racial imbalance but which are in need of guidance, experienced help or financial assistance in order to train their personnel for this changeover,

[1] Alaska, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Vermont, Washington, Wisconsin, Wyoming. Cities with public accommodations ordinances which are outside the above States include Washington, D.C., Wilmington, Del., Louisville, Ky., El Paso, Tex., Kansas City, Mo., and St. Louis, Mo.

cope with new difficulties and complete the job satisfactorily (including in such assistance loans to a district where State or local funds have been withdrawn or withheld because of desegregation).

Public institutions already operating without racial discrimination, of course, will not be affected by this statute. Local action can always make Federal action unnecessary. Many school boards have peacefully and voluntarily desegregated in recent years. And while this act does not include private colleges and schools, I strongly urge them to live up to their responsibilities and to recognize no arbitrary bar of race or color—for such bars have no place in any institution, least of all one devoted to the truth and to the improvement of all mankind.

III. FAIR AND FULL EMPLOYMENT

Unemployment falls with special cruelty on minority groups. The unemployment rate of Negro workers is more than twice as high as that of the working force as a whole. In many of our larger cities, both North and South, the number of jobless Negro youth—often 20 percent or more—creates an atmosphere of frustration, resentment and unrest which does not bode well for the future. Delinquency, vandalism, gang warfare, disease, slums and the high cost of public welfare and crime are all directly related to unemployment among whites and Negroes alike—and recent labor difficulties in Philadelphia may well be only the beginning if more jobs are not found in the larger Northern cities in particular.

Employment opportunities, moreover, play a major role in determining whether the rights described above are meaningful. There is little value in a Negro's obtaining the right to be admitted to hotels and restaurants if he has no cash in his pocket and no job.

Relief of Negro unemployment requires progress in three major areas:

(1) More jobs must be created through greater economic growth: The Negro—too often unskilled, too often the first to be fired and the last to be hired—is a primary victim of recessions, depressed areas and unused industrial capacity. Negro unemployment will not be noticeably diminished in this country until the total demand for labor is effectively increased and the whole economy is headed toward a level of full employment. When our economy operates below capacity, Negroes are more severely affected than other groups. Conversely, return to full employment yields particular benefits to the Negro. Recent studies have shown that for every 1 percentage point decline in the general unemployment rate there tends to be a 2-percentage point reduction in Negro unemployment.

Prompt and substantial tax reduction is a key to achieving the full employment we need. The promise of the area redevelopment program—which harnesses local initiative toward the solution of deep-seated economic distress—must not be stifled for want of sufficient authorization or adequate financing. The accelerated public works program is now gaining momentum; States, cities, and local communities should press ahead with the projects financed by this measure. In addition, I have instructed the Departments of Labor, Commerce, and Health, Education, and Welfare to examine how their programs for the relief of unemployment and economic hardship can be still more intensively focused on those areas of hard-core, long-term unemployment, among both white and nonwhite workers. Our concern with civil rights must not cause any diversion or dilution of our efforts for economic progress—for without such progress the Negro's hopes will remain unfulfilled.

(2) More education and training to raise the level of skills: A distressing number of unemployed Negroes are illiterate and unskilled, refugees from farm automation, unable to do simple computations or even to read a help-wanted advertisement. Too many are equipped to work only in those occupations where technology and other changes have reduced the need for manpower—as farm labor or manual labor, in mining or construction. Too many have attended segregated schools that were so lacking in adequate funds and faculty as to be unable to produce qualified job applicants. And too many who have attended nonsegregated schools dropped out for lack of incentive, guidance, or progress. The unemployment rate for those adults with less than 5 years of schooling is around 10 percent; it has consistently been double the prevailing rate for high school graduates; and studies of public welfare recipients show a shockingly high proportion of parents with less than a primary school education.

Although the proportion of Negroes without adequate education and training is far higher than the proportion of whites, none of these problems is restricted to Negroes alone. This Nation is in critical need of a massive upgrading in its education and training effort for all citizens. In an age of rapidly changing technology, that effort today is failing millions of our youth. It is especially failing Negro youth in segregated schools and crowded slums. If we are ever to lift them from the morass of social and economic degradation, it will be through the strengthening of our education and training services—by improving the quality of instruction; by enabling our schools to cope with rapidly expanding enrollments; and by increasing opportunities and incentives for all individuals to complete their education and to continue their self-development during adulthood.

I have therefore requested of the Congress and request again today the enactment of legislation to assist education at every level from grade school through graduate school.

I have also requested the enactment of several measures which provide, by various means and for various age and educational groups, expanded job training and job experience. Today, in the new and more urgent context of this message, I wish to renew my request for these measures, to expand their prospective operation and to supplement them with additional provisions. The additional $400 million which will be required beyond that contained in the January budget is more than offset by the various budget reductions which I have already sent to the Congress in the last 4 months. Studies show, moreover, that the loss of 1 year's income due to unemployment is more than the total cost of 12 years of education through high school; and, when welfare and other social costs are added, it is clear that failure to take these steps will cost us far more than their enactment. There is no more profitable investment than education, and no greater waste than ill-trained youth.

Specifically, I now propose:

(A) That additional funds be provided to broaden the manpower development and training program, and that the act be amended, not only to increase the authorization ceiling and to postpone the effective date of State matching requirements, but also (in keeping with the recommendations of the President's Committee on Youth Employment) to lower the age for training allowances from 19 to 16, to allocate funds for literacy training, and to permit the payment of a higher proportion of the program's training allowances to out-of-school youths, with provisions to assure that no one drops out of school to take advantage of this program;

(B) That additional funds be provided to finance the pending youth employment bill, which is designed to channel the energies of out-of-school, out-of-work youth into the constructive outlet offered by hometown improvement projects and conservation work;

(C) That the pending vocational education amendments, which would greatly update and expand this program of teaching job skills to those in school, be strengthened by the appropriation of additional funds, with some of the added money earmarked for those areas with a high incidence of school dropouts and youth unemployment, and by the addition of a new program of demonstration youth training projects to be conducted in these areas;

(D) That the vocational education program be further amended to provide a work-study program for youth of high school age, with Federal funds helping their school or other local public agency employ them part time in order to enable and encourage them to complete their training;

(E) That the ceiling be raised on the adult basic education provisions in the pending education program, in order to help the States teach the fundamental tools of literacy and learning to culturally deprived adults. More than 22 million Americans in all parts of the country have less than 8 years of schooling; and

(F) That the public welfare work-relief and training program, which the Congress added last year, be amended to provide Federal financing of the supervision and equipment costs, and more Federal demonstration and training projects, thus encouraging State and local welfare agencies to put employable but unemployed welfare recipients to work on local projects which do not displace other workers.

To make the above recommendations effective, I call upon more States to

adopt enabling legislation covering unemployed fathers under the aid-to-dependent children program, thereby gaining their services for work-relief jobs, and to move ahead more vigorously in implementing the manpower development and training program. I am asking the Secretaries of Labor and Health, Education, and Welfare to make use of their authority to deal directly with communities and vocational schools whenever State cooperation or progress is insufficient, particularly in those areas where youth unemployment is too high. Above all, I urge the Congress to enact all of these measures with alacrity and foresight.

For even the complete elimination of racial discrimination in employment—a goal toward which this Nation must strive (as discussed below)—will not put a single unemployed Negro to work unless he has the skills required and unless more jobs have been created—and thus the passage of the legislation described above (under both sections (1) and (2)) is essential if the objectives of this message are to be met.

(3) Finally racial discrimination in employment must be eliminated: Denial of the right to work is unfair, regardless of its victim. It is doubly unfair to throw its burden on an individual because of his race or color. Men who served side by side with each other on the field of battle should have no difficulty working side by side on an assembly line or construction project.

Therefore, to combat this evil in all parts of the country,

(A) The Committee on Equal Employment Opportunity, under the chairmanship of the Vice President, should be given a permanent statutory basis, assuring it of adequate financing and enforcement procedures. That Committee is now stepping up its efforts to remove racial barriers in the hiring practices of Federal departments, agencies, and Federal contractors, covering a total of some 20 million employees and the Nation's major employers. I have requested a company-by-company, plant-by-plant, union-by-union report to assure the implementation of this policy.

(B) I will shortly issue an Executive order extending the authority of the Committee on Equal Employment Opportunity to include the construction of buildings and other facilities undertaken wholly or in part as a result of Federal grant-in-aid programs.

(C) I have directed that all Federal construction programs be reviewed to prevent any racial discrimination in hiring practices, either directly in the rejection of presently available qualified Negro workers or indirectly by the exclusion of Negro applicants for apprenticeship training.

(D) I have directed the Secretary of Labor, in the conduct of his duties under the Federal Apprenticeship Act and Executive Order No. 10925, to require that the admission of young workers to apprenticeship programs be on a completely nondiscriminatory basis.

(E) I have directed the Secretary of Labor to make certain that the job counseling and placement responsibilities of the Federal-State Employment Service are carried out on a nondiscriminatory basis, and to help assure that full and equal employment opportunity is provided all qualified Negro applicants. The selection and referral of applicants for employment and for training opportunities, and the administration of the employment offices' other services and facilities, must be carried on without regard to race or color. This will be of special importance to Negroes graduating from high school or college this month.

(F) The Department of Justice has intervened in a case now pending before the NLRB involving charges of racial discrimination on the part of certain union locals.

(G) As a part of its new policy on Federal employee organizations, this Government will recognize only those that do not discriminate on grounds of race or color.

(H) I have called upon the leaders of organized labor to end discrimination in their membership policies; and some 118 unions, representing 85 percent of the AFL–CIO membership, have signed nondiscrimination agreements with the Committee on Equal Employment Opportunity. More are expected.

(I) Finally, I renew my support of pending Federal fair employment practices legislation, applicable to both employers and unions. Approximately two-thirds of the Nation's labor force is already covered by Federal, State, and local equal employment opportunity measures—including those employed in the 22 States and numerous cities which have enacted such laws as well as those paid directly or indirectly by Federal funds. But, as the Secretary of Labor testified in January 1962, Federal legislation is desirable, for it would help set a standard for all the Nation and close existing gaps.

This problem of unequal job opportunity must not be allowed to grow, as the result of either recession or discrimination. I enlist every employer, every labor union, and every agency of government—whether affected directly by these measures or not—in the task of seeing to it that no false lines are drawn in assuring equality of the right and opportunity to make a decent living.

IV. COMMUNITY RELATIONS SERVICE

I have repeatedly stressed the fact that progress in race relations, while it cannot be delayed, can be more solidly and more peacefully accomplished to the extent that legislation can be buttressed by voluntary action. I have urged each member of the U.S. Conference of Mayors to establish biracial human relations committees in every city; and I hope all communities will establish such a group, preferably through official action. Such a board or committee can provide invaluable services by identifying community tensions before they reach the crisis stage, by improving cooperation and communication between the races, and by advising local officials, merchants, and organizations on the steps which can be taken to insure prompt progress.

A similar agency is needed on the Federal level—to work with these local committees, providing them with advice and assistance—to work in those communities which lack a local committee—and generally to help ease tensions and suspicions, to help resolve interracial disputes and to work quietly to improve relations in any community threatened or torn with strife. Such an effort is in no way a substitute for effective legislative guarantees of human rights. But conciliation and cooperation can facilitate the achievement of those rights, enabling legislation to operate more smoothly and more effectively.

The Department of Justice and its Civil Rights Division have already performed yeoman service of this nature, in Birmingham, in Jackson, and throughout the country. But the problem has grown beyond the time and energies which a few otherwise burdened officials can make available—and, in some areas, the confidence of all will be greater in an intermediary whose duties are completely separated from departmental functions of investigation or litigation.

It is my intention, therefore, to establish by Executive order (until such time as it can be created by statute) an independent Community Relations Service—to fulfill the functions described above, working through regional, State, and local committees to the extent possible, and offering its services in tension-torn communities either upon its own motion or upon the request of a local official or other party. Authority for such a Service is included in the proposed omnibus bill. It will work without publicity and hold all information imparted to its officers in strict confidence. Its own resources can be preserved by its encouraging and assisting the creation of State and local committees, either on a continuing basis or in emergency situations.

Without powers of enforcement or subpena, such a Service is no substitute for other measures; and it cannot guarantee success. But dialog and discussion are always better than violence—and this agency, by enabling all concerned to sit down and reason together, can play a major role in achieving peaceful progress in civil rights.

V. FEDERAL PROGRAMS

Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination. Direct discrimination by Federal, State, or local governments is prohibited by the Constitution. But indirect discrimination, through the use of Federal funds, is just as invidious; and it should not be necessary to resort to the courts to prevent each individual violation. Congress and the Executive have their responsibilities to uphold the Constitution also; and, in the 1960's, the executive branch has sought to fulfill its responsibilities by banning discrimination in federally financed housing, in NDEA and NSF institutes, in federally affected employment, in the Army and Air Force Reserve, in the training of civilian defense workers, and in all federally owned and leased facilities.

Many statutes providing Federal financial assistance, however, define with such precision both the Administrator's role and the conditions upon which specified amounts shall be given to designated recipients that the amount of administrative discretion remaining—which might be used to withhold funds if discrimination were not ended—is at best questionable. No administrator has the unlimited authority to invoke the Constitution in opposition to the mandate of the Congress. Nor would it always be helpful to require unconditionally—as is often proposed—the withdrawal of all Federal funds from programs urgently needed by Negroes as well as whites; for this may only penalize those who least deserve it without ending discrimination.

Instead of permitting this issue to become a political device often exploited by those opposed to social or economic progress, it would be better at this time to pass a single comprehensive provision making it clear that the Federal Government is not required, under any statute, to furnish any kind of financial assistance—by way of grant, loan, contract, guarantee, insurance, or otherwise—to any program or activity in which racial discrimination occurs. This would not permit the Federal Government to cut off all Federal aid of all kinds as a means of punishing an area for the discrimination occurring therein—but it would clarify the authority of any administrator with respect to Federal funds or financial assistance and discriminatory practices.

CONCLUSION

Many problems remain that cannot be ignored. The enactment of the legislation I have recommended will not solve all our problems of race relations. This bill must be supplemented by action in every branch of government at the Federal, State, and local level. It must be supplemented as well by enlightened private citizens, private businesses and private labor and civic organizations, by responsibile educators and editors, and certainly by religious leaders who recognize the conflict between racial bigotry and the Holy Word.

This is not a sectional problem—it is nationwide. It is not a partisan problem. The proposals set forth above are based on a careful consideration of the views of leaders of both parties in both Houses of Congress. In 1957 and 1960, members of both parties rallied behind the civil rights measures of my predecessor; and I am certain that this tradition can be continued, as it has in the case of world crises. A national domestic crisis also calls for bipartisan unity and solutions.

We will not solve these problems by blaming any group or section for the legacy which has been handed down by past generations. But neither will these problems be solved by clinging to the patterns of the past. Nor, finally, can they be solved in the streets, by lawless acts on either side, or by the physical actions or presence of any private group or public official, however appealing such melodramatic devices may seem to some.

During the weeks past, street demonstrations, mass picketing and parades have brought these matters to the Nation's attention in dramatic fashion in many cities throughout the United States. This has happened because these racial injustices are real and no other remedy was in sight. But, as feelings have risen in recent days, these demonstrations have increasingly endangered lives and property, enflamed emotions and unnecessarily divided communities. They are not the way in which this country should rid itself of racial discrimination. Violence is never justified; and, while peaceful communication, deliberation, and petitions of protest continue, I want to caution against demonstrations which can lead to violence.

This problem is now before the Congress. Unruly tactics or pressures will not help and may hinder the effective consideration of these measures. If they are enacted, there will be legal remedies available; and, therefore, while the Congress is completing its work, I urge all community leaders, Negro and white, to do their utmost to lessen tensions and to exercise self-restraint. The Congress should have an opportunity to freely work its will. Meanwhile, I strongly support action by local public officials and merchants to remedy these grievances on their own.

The legal remedies I have proposed are the embodiment of this Nation's basic posture of commonsense and common justice. They involve every American's right to vote, to go to school, to get a job, and to be served in a public place without arbitrary discrimination—rights which most Americans take for granted.

In short, enactment of the Civil Rights Act of 1963 at this session of the Congress—however long it may take and however troublesome it may be—is imperative. It will go far toward providing reasonable men with the reasonable means of meeting these problems; and it will thus help end the kind of racial strife which this Nation can hardly afford. Rancor, violence, disunity, and national shame can only hamper our national standing and security. To paraphrase the words of Lincoln: "In giving freedom to the Negro, we assure freedom to the free—honorable alike in what we give and what we preserve."

I therefore ask every Member of Congress to set aside sectional and political ties, and to look at this issue from the viewpoint of the Nation. I ask you to look into your hearts—not in search of charity, for the Negro neither wants nor needs condescension—but for the one plain, proud, and priceless quality that unites us all as Americans; a sense of justice. In this year of the emancipation centennial, justice requires us to insure the blessings of liberty for all Americans and their posterity—not merely for reasons of economic efficiency, world diplomacy, and domestic tranquillity—but, above all, because it is right.

JOHN F. KENNEDY.

THE WHITE HOUSE, *June 19, 1963.*

CIVIL RIGHTS

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, in the message just submitted to the Congress, the President has laid it on the line. He has set forth the guidelines of a program which can produce justice for all Americans this year. If this Congress can pass this measure, it will have made a monumental contribution. In the area of human rights this could be the most productive Congress of the century.

The President has set the tempo of our work and we should proceed without delay.

THE PRESIDENT'S MESSAGE ON CIVIL RIGHTS

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, I have just heard with interest the reading of the message of the President on civil rights. I rise to comment briefly upon it, because I fear that this message is in keeping with the thinking of too many people who are ignoring the rights of the majority in our country.

As the message was read, I noted the recommendation that the commerce clause be extended and stretched in a method never contemplated by the writers of the Constitution. I heard also reference to implementing the 14th amendment to the Constitution in a way which I believe even those who voted for it freely—as well as those who voted for it under force—never contemplated. I was impressed by the fact that in the message there was not the slightest reference to the 10th amendment to the Constitution and that is an equally important section of our Constitution.

The 10th amendment is brief and clear. It says:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

In my judgment, the proposals contained in the President's message would, if enacted into law, constitute a usurpation of the powers, rights, and privileges of the States and the people.

CONSTITUTIONAL AMENDMENT TO PERMIT PRAYER IN PUBLIC SCHOOLS

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, for 19 years as a member of the New York State Legislature and as a Member of the Congress of the United States, I have pursued the policy of never voting for a motion to discharge a committee or signing a petition to discharge a committee from consideration of a piece of legislation affecting our material wants. But, with the Supreme Court decision of June 25, 1962, and the Supreme Court decision on Monday of this week which intends to and will bar prayer from public schools in the United States, I intend for the first time to give the Congress of the United States, the House of Representatives, and the people of the various State legislatures the right to determine whether the Constitution shall be amended to permit prayer in public schools and in all public places.

To this end, today I have for the first time in my history as a legislator presented a resolution to the House that will discharge the Committee on Rules from consideration of my resolution, House Joint Resolution 9, to so permit prayer in our public schools.

After the expiration of 7 legislative days, I will place a petition at the desk to give the Members of this House the opportunity to sign it and to bring before this House and let the American people have the opportunity to have a constitutional amendment which, I believe, they are entitled to.

THE PRESIDENT'S CIVIL RIGHTS MESSAGE

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I want to comment on one aspect of the President's message which we have just heard here in the House of Representatives. That is the necessity for any legislation affecting civil rights to be of a bipartisan nature.

Mr. Speaker, it is my opinion that this is certainly an area where bipartisan action is essential. There have been too many instances of playing politics with the inherent civil and constitutional rights of individuals in this country. Certainly the President must have some assurance that there is strong Republican support and strong Democratic support for civil rights legislation of a moderate and a reasonable nature.

Mr. Speaker, while serving in the legislature of the State of Illinois I had an opportunity to help make equal job opportunity legislation a bipartisan issue there. I know that the great majority of the Members of this Congress recognize that the time for equal opportunity, the time for equal citizenship for all, is here and now. We should see to it that this subject of legislation is placed on a bipartisan level in order that we can work together as Members of this Congress in supporting reasonable legislation.

BETTER TAKE A "PRO'S" ADVICE

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, after having listened to the reading of the President's message, I would predict that during the next few weeks it will become abundantly clear that the President might well have followed the advice of a real pro, former President Truman, who only last week stated that in his opinion no further civil rights legislation was needed, only the enforcement of laws presently on the books and the Constitution.

CIVIL RIGHTS LEGISLATION

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, the administration, abetted by the Republican leadership, seeks to stampede Congress into enacting the most far reaching racial legislation since reconstruction.

It is common knowledge that until a month ago neither the administration nor the Republican leadership had any plans to advance so-called civil rights legislation at this session of Congress. A tragic day has arrived in American history when mob action can drive the Nation's political leadership into proposing hasty, ill-considered legislative programs.

It remains for the American people, from all parts of the country, to resist this political descent into mobocracy. Those of us in Congress who plan to fight this bill will need all possible help. Americans everywhere—North and South, Democrats and Republicans—must act now to let their Washington leaders know of their objection to this force legislation.

CIVIL RIGHTS LEGISLATION

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I listened with great interest to the President's message on civil rights. I believe he has made a sincere, courageous, and statesmanlike message.

The President strikes out boldly to attack segregation on many fronts. He wisely asks for bipartisan support of this program, and I hope he shall receive it.

He recognizes that present wrongs require legal remedies too long delayed. He generally seeks to restore peace and tranquillity to our land, and to quell the fires of frustration and discontent. He wishes to prevent extremists from taking leadership of the malcontents of certain elements in our population.

Undoubtedly the message and the bill accompanying it will be referred to the Committee on the Judiciary. I hope to renew hearings on this important message and bill this coming week.

HAPPY BIRTHDAY, WEST VIRGINIA

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, exactly 100 years ago tomorrow, June 20, 1863, West Virginia achieved statehood.

Our wild forests, rugged mountains, and trickling streams make West Virginia an ideal spot for hunting, fishing, and vacationing. There is lots of elbow room in West Virginia, and the State is easily accessible to the major population centers of the Atlantic seaboard and the Middle West. There are tremendous industrial opportunities in all areas of the State, and the most rapid growth has been scored in the Ohio River and Kanawha River Valleys.

A mark of West Virginia's participation in the space age is the National Radio Astronomy Laboratory at Green Banks, W. Va.

During the Civil War, a delegation called on President Abraham Lincoln and asked whether the materials being used to complete the Capitol dome might not better be used as sinews of war. President Lincoln quickly answerd that the work on the Capitol should go on as a symbol that the Union would go on. When the Statue of Freedom was hoisted to the top of the Capitol in December 1863, 35 guns boomed out in salute. The 35th gun was fired in honor of West Virginia, which had 6 months earlier been admitted as the 35th State in the Union.

Tomorrow, it is entirely fitting that President Kennedy should return to West Virginia. The President of the United States will fly to Charleston, W. Va. to help us celebrate our 100th birthday. To my colleagues and to everyone throughout the Nation, may I say: Please come to West Virginia during our centennial year. Come and relax with the most friendly, courteous, and unselfish people in the world. You will want to stay in West Virginia—a land of unlimited opportunity where you can share the fruits of freedom with those who live under our banner which proclaims: "Mountaineers are always free."

CALL OF THE HOUSE

Mr. KYL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 84]

Ashley	Hébert	Rains
Ayres	Hosmer	Reuss
Bolling	Joelson	Roberts, Ala.
Brown, Ohio	Jones, Ala.	Roosevelt
Buckley	Karth	St Germain
Colmer	Kee	St. Onge
Corman	Kilburn	Schadeberg
Curtis	King, Calif.	Scott
Davis, Tenn.	McMillan	Shelley
Diggs	MacGregor	Sheppard
Ellsworth	May	Siler
Forrester	Meader	Sisk
Giaimo	Miller, N.Y.	Tupper
Grabowski	Moss	Ullman
Grant	Norblad	Willis
Hall	Powell	

The SPEAKER. On this rollcall 384 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SUSPENSION OF EQUAL TIME PROVISIONS OF THE COMMUNICATIONS ACT FOR 1964 PRESIDENTIAL CAMPAIGN

Mr. SMITH of Virginia. Mr. Speaker, on behalf of my colleague, the gentleman from Missouri [Mr. BOLLING], and by direction of the Committee on Rules, I call up the resolution, House Resolution 402, and ask for its present consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 247) to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Kansas [Mr. AVERY], and pending that I yield myself such time as I may consume.

Mr. Speaker, this resolution makes in order House Joint Resolution 247 relating to radio and television time in presidential campaigns. It will be recalled, Mr. Speaker, that a couple of years ago there was some embarrassment and trouble precipitated by the fact that under the law if time is given to one candidate for an office then equal time must be given to his opponent. There was an effort apparently in which certain people who were candidates for the Presidency and for the Vice Presidency who were not legally qualified candidates desired to get time and it therefore created some trouble.

Mr. Speaker, we passed a joint resolution at that time providing that that general provision should not prevail during the 1960 campaign; in other words, that candidates must be qualified party candidates in order to be recognized for this equal-time provision of radio and television. That applied only to the 1960 election.

Now, Mr. Speaker, the 1964 election is approaching and it has been thought advisable that it should be extended and made to apply to the 1964 election. So, with minor amendments, this is merely the resolution that was adopted by the Congress for the 1960 presidential election.

Mr. Speaker, the rule provides for 1 hour of general debate. There was no objection to the granting of the rule in the Rules Committee when we had the hearing.

Mr. Speaker, I reserve the balance of my time.

Mr. AVERY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I think the gentleman from Virginia [Mr. SMITH] explained the resolution itself and the effect of it, if adopted. Perhaps a little more information on the background might be of interest, particularly to some of the newer Members of the House who were not here when this first suspension of section 315 was approved by the Congress previous to the 1960 election.

Mr. Speaker, section 315 of the Federal Communications Act of 1934 of course provides that whatever broadcasting facilities are made available to one candidate, the same facilities and opportunities must be available to every other qualified candidate for that same office and in the same manner.

Even though this provision has been in the act since 1934, it was just presumed that the networks and the licensees could broadcast the national political convention proceedings of the two major parties and provide equal time to the candidates of the two major parties, without giving serious concern to any other candidates from any other party. This seemed to meet with popular acceptance. So this practice—and it was just a practice—was not challenged. However, in 1959 when present Mayor Richard Daley was a candidate for reelection as mayor of the city of Chicago another candidate by the name of Lar Daley requested equal time to compensate for some news coverage that had been afforded Mayor Richard Daley. The station denied that request. Candidate Lar Daley appealed to the Federal Communications Commission and they—the Commission—held in his favor, that he should be permitted although he was not a major candidate for the office in the eyes of the licensee involved, to have equal time. Equal time was given to him. It was on viewing the film as to how he utilized that equal time award that persuaded me to support suspension of the equal-time provision in section 315 for the 1960 election. Then the Congress proceeded by a resolution to suspend this provision for the 1960 campaign. Obviously we are now approaching the 1964 campaign. So this proposal is again before the House.

Let me direct my remarks now over on the Republican side of the aisle. I notice some opposition on our side of the aisle. You perhaps believe, and I think, and Attorney General Kennedy has said publicly, if it had not been for the television coverage of the 1960 candidate debate the now President Kennedy would not have been elected. So this naturally brings up some reservations over here whether or not this is in our party interest and whether this is in the public interest to approve this suspension.

Mr. Speaker, we have two things to consider, and again I am directing my remarks pretty much to those on our side of the aisle. I think there are two aspects to this.

In 1960 our candidate obviously had the responsibility for all the problems that were then prevalent, and he undertook to defend them; whereas the challenging candidate, then Senator Kennedy, had no responsibility and could criticize without having to take the responsibility for any of the misfortunes or any of the undesirable developments that had transpired in the previous 8 years.

This time it is going to be turned around. I say this to my friends on my right: In 1964 the situation is going to be reversed, because the Republican candidate, whoever he may be, and he will be a good one and probably a very successful candidate, but as to what his identity is by name I cannot say, will not have the responsibility of explaining all of the misfortunes and mistakes in the last 4 years.

I think the public interest will be well served. Regardless of the political responsibility on our side of the aisle or the other side of the aisle, every licensee, of course, has a public responsibility as well, and that is to use his privilege as a broadcaster in order to bring such public events to the attention of his listeners or his viewers, as the case may be, or as he deems to be in the public interest, and to fulfill his responsibility as a public licensee.

So on that basis, Mr. Speaker, I urge adoption of the rule, and I recommend approval of the resolution after it has been fully considered in the Committee of the Whole. I was a member of the Committee on Interstate and Foreign Commerce when this matter was first considered by that committee in 1959. I supported the suspension at that time, and I remain in that position today.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

The resolution was agreed to.

CONSTRUCTION OF VA HOSPITALS

Mr. THORNBERRY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 403.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4347) to limit the authority of the Veterans' Administration and the Bureau of the Budget with respect to new construction or alteration of veterans' hospitals. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Veterans' Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. THORNBERRY. Mr. Speaker, House Resolution 403 provides for consideration of H.R. 4347, a bill to limit the authority of the Veterans' Administration and the Bureau of the Budget with respect to new construction or alteration of veterans' hospitals. The resolution provides an open rule with 1 hour of general debate.

According to the testimony presented to the Committee on Rules, under existing law, whenever the Veterans' Administration desires to build a new hospital, it submits appropriate plans and specifications to the Bureau of the Budget and after approval by the Bureau of the Budget, the proposal is then submitted to the President. If and when the President gives his concurrence, funds are requested in the next budget for the specific project and if voted as a part of the Independent Offices Appropriation Act, then the hospital is built in accordance with the plans previously agreed upon by the Veterans' Administration and the Bureau of the Budget.

As the committee report points out, in 1961 the Committee on Veterans' Affairs made a detailed study of the medical program of the Veterans' Administration, and there was developed a long-range program for construction of new hospitals, and for modernization and improvement of the existing hospital facilities of the Veterans' Administration. No changes were required to be made in the law for this program to be carried out, but it was generally understood according to the committee report that the committee would keep in close touch with the program as it developed.

The committee report further states that recently the Veterans' Administration has, on its own, initiated changes in this long-range program without any advance consultation with the Veterans' Affairs Committee, and in some instances, without any advance notice. The Committee on Veterans' Affairs contends that this trend endangers the successful accomplishment of the long-range program already worked out, and that the law should clearly reflect the right of the Committee on Veterans' Affairs to be notified in advance and consulted about changes proposed to be made in the program.

Under H.R. 4347, as reported, future major hospital construction or alteration by the Veterans' Administration must be justified in advance to the Committee on Veterans' Affairs, and the committee must affirmatively approve such construction or alteration.

Mr. Speaker, I know of no opposition to the adoption of House Resolution 403.

Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, House Resolution 403 provides for 1 hour of general debate, with an open rule, for the consideration of H.R. 4347, a bill entitled "Construction of Veterans' Administration Hospitals."

Mr. Speaker as a former member of the Committee on Veterans' Affairs, I rise in support of the rule providing for the consideration of H.R. 4347.

This bill simply stated seeks to give the Congress the power of review over the location of new Veterans' Administration hospitals and the renovation and modernization of existing structures. I think this is entirely appropriate and a very reasonable proposal.

There are 168 hospitals in the Veterans' Administration medical system and 17 domiciliaries in addition. On any given day, approximately 110,000 veterans are hospitalized in the Veterans' Administration system and approximately 17,000 members are in its domiciliaries.

At the present time, the location of Veterans' Administration hospitals and the renovation and modernization of existing structures is entirely at the discretion of the executive branch of the Government. This bill, H.R. 4347 which is patterned on existing law applicable to public buildings programs and which has been tested in the courts, is a desirable step in order to give the Congress a greater control over the expenditure of public funds.

Having served on the Committee on Veterans' Affairs, I am sure that this bill when enacted into law will not result in the delay in approval of any worthwhile project sought by the Administrator of Veterans' Affairs. I submit, Mr. Speaker, that when it is considered that the capital value of the existing structures in the Veterans' Administration medical system is estimated at in excess of $2½ billion and further that each new bed constructed in the Veterans' Administration costs between $15,000 and $30,000, controls by the Congress are not only reasonable and proper, but essential. I know of no objection to the rule. I urge adoption of the rule and the passage of H.R. 4347. I reserve the balance of my time, Mr. Speaker.

Mr. THORNBERRY. Mr. Speaker, I move the previous question on the resolution.

The motion was agreed to.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUSPENSION OF EQUAL-TIME PROVISIONS

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 247, to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 247, with Mr. DENTON in the Chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

Mr. HARRIS. Mr. Chairman, I am pleased at this time to yield 10 minutes to the gentleman from Texas [Mr. ROGERS], chairman of the subcommittee conducting hearings on this legislation.

Mr. ROGERS of Texas. Mr. Chairman, this legislation, House Joint Resolution 247, is actually very simple. I would call to your attention in the report on page 3 the letter from the Deputy Attorney General addressed to the distinguished chairman of the Committee on Interstate and Foreign Commerce, the gentleman from Arkansas [Mr. HARRIS]. In the first portion of that letter he sets out section 315 of the Communications Act of 1934. That section reads as follows:

If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station.

The legislation presently pending before the committee simply suspends the application of section 315 during the anticipated presidential campaigns in 1964.

There are two amendments that were adopted by the committee to the original resolution as it was originally introduced. One of those was an amendment limiting the time of suspension on an exact time basis; that is, the language in the original proposal was not clear as to how long this suspension would be in effect—when a campaign begins and when it ends. We know a campaign usually ends on election day, but no one knows when it begins.

So the committee felt that 75 days prior to the election would be sufficient time for the suspension of this section of the Communications Act. That is one of the committee amendments.

It begins on August 20, 1964, and ends on November 2, 1964.

The other has to do with a word; a word that was in the original proposal that referred to nominees who were running for the office of President and Vice

President. This was changed to "legally qualified" candidates. There has been quite a bit of discussion why this was done and what the difference is. The reason it was done is very simple. If you will refer to the language of the Communications Act itself you will find that the term therein used is "legally qualified candidates." That is the reason for this suggested change in the language of the resolution, which was changed to conform to the act so there would be no misunderstanding.

There were quite a number of people who came before the subcommittee on this measure and if you will refer to page 2 of the report you will see them listed; the National Committees of both the Democratic and Republican Parties, the National Association of Broadcasters, the three television networks, together with a number of other people who came before the subcommittee in favor of this legislation.

There was some opposition to the legislation. Witnesses representing the Socialist Labor Party of America, the International Brotherhood of Teamsters and the American Civil Liberties Union testified in opposition to the legislation.

I might say at this point that there are others who are opposed to this legislation for various and sundry reasons. But the point is simply this, that if the people of the United States are going to have the opportunity of seeing their candidates in the coming presidential election—unless this resolution is adopted I am afraid they will be denied that opportunity, primarily because there are so many small parties, some of them frivolous, some of them very serious, but all having their candidates. In many instances the people in California do not know about the man who is running on a New York party ticket because they never heard of the party or the candidate. The broadcasting people, radio and television, cannot subject their facilities to demands by all of these people from these parties that can be gotten up overnight to nominate a man for President or Vice President of the United States.

So it was the feeling of those of us on the committee who were in support of this legislation that we ought to make it possible for the people in this country to have the opportunity to view the man or the men who were running for President and Vice President, the highest offices in this land, without the broadcasters being subjected to unfair demands and abuses.

I grant you there are many arguments against the legislation and you are going to hear some today. One of those is that sometimes television is not fair, it is too tough a taskmaster; a man may be an excellent fellow, but he does not make a good appearance on television. That may be a good argument, but the fact of the matter is that television is here and it is here to stay. It would be my recommendation to any political party nominating a candidate for President or Vice President, that they do not nominate somebody who does not make a pretty good appearance on television because he is going to end up there sooner or later, whether he likes it or not. Some of these people, especially in the broadcasters' field and in the networks' field, came in and wanted section 315 wholly repealed; that is, wiped out.

If this should be done, a broadcasting station, whether it be a network broadcasting station, a single TV station, or a remote radio station, could permit the use of their facilities by any political candidate they wanted to on such terms as they wanted to, and not be responsible to afford equal opportunities, as is now required by law, to other candidates for that same position, whether the office be Governor, representative in the State legislature, or President of the United States.

This is a question that is entirely controversial, as you can all appreciate. It is a continuing question, that is going to be with us for some time. I may say that in this regard the Communications Subcommittee hopes to hold some hearings in the near future with regard to the overall problem, but the problem and the issue here today is not the repeal of section 315 insofar as equal rights is concerned; it is simply the suspension of this section of the law for 75 days next year in order to permit the American people to see for whom they are being asked to vote for President and Vice President of the United States.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I will be happy to yield to the gentleman from Iowa.

Mr. GROSS. If there is merit to the gentleman's argument as it applies to the President and Vice President, why not carry it right on down to other candidates?

Mr. ROGERS of Texas. There are several reasons for that. The President and Vice President are candidates for national jobs, that is, jobs that cover the entire country. The other areas involve limited areas such as your congressional district. Airways or beams, whatever you want to call them, television or radio beams, are no respecters of the boundary lines of the districts, so this would create many, many complex problems if you tried to do that. The gentleman understands that this does not deny the candidates of these smaller parties, or these splinter parties, for want of a better name, access to the radio, but it makes it possible for the major candidates to be seen and heard by the people without subjecting these broadcasting stations to the abuses that would be visited upon them as was the case several years ago.

Mr. GROSS. Up to this point I have heard of only one case which you can really hang your hat on in asking for this suspension for the President and Vice President. I have yet to be convinced that one swallow makes a spring.

Mr. ROGERS of Texas. What case is that?

Mr. GROSS. The Lar Daly case in Chicago.

Mr. ROGERS of Texas. Yes. If the gentleman will refer to the hearings, I think he will find a source of information there where he can find there are other situations on a similar scale which have arisen that created problems. I grant you that there is definitely a problem. We are going to try to get this worked out. But when we open up the airways which are heard by the public, in the manner which the broadcasting companies or the owners want to handle them, we are treading on dangerous ground. The minority report expressed that danger very well, I think.

Mr. GROSS. Let me clarify the record. Let me say I am not advocating a waiver for anyone, I mean for any of the broadcasting stations, for any candidate. Let me make that clear. I am opposed to this bill.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Could the gentleman tell me if section 315 of the Communications Act of 1934 were suspended as recommended in this resolution who would benefit or be discriminated against from this suspension?

Mr. ROGERS of Texas. I think generally you could say that the American people would benefit from the suspension because it would make it possible for them to see and to hear these candidates on the national networks. I do not know what the gentleman is referring to, but if he is referring to the networks benefiting, I just do not follow the gentleman's question.

Mr. WAGGONNER. Perhaps the gentleman does not understand the question. I will forgo that question only because time is limited simply to make this statement and maybe to define for you and set out to you and the committee what my thinking is. I hold in my hand here a copy of the President's message delivered to the Congress today on civil rights setting forth the fact that all Americans everywhere and at every instant of the day and night should have equality in every walk of life, and it is inconceivable to me that this administration or anyone else should bring in on this same day a piece of legislation, House Joint Resolution 247, and ask that equality for somebody who seeks political office should be denied. The report says the administration approves this legislation.

Mr. ROGERS of Texas. I must decline to yield further to the gentleman on that. Let me straighten the gentleman out right here and now with reference to it.

The administration did not bring this bill to this committee or to this House of Representatives and it was not introduced in the first instance at the request of the administration. This resolution has been discussed for a long, long time. The same resolution was adopted during the past presidential campaign. This proposal was considered by the subcommittee; it was considered by the full committee; it was taken before the Committee on Rules and it has been brought to the House in the regular order.

Mr. BENNETT of Michigan. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, when this legislation was before us 2 years ago, I expressed concern that the networks, having had

the benefit of the suspension of equal time provisions of law for the 1960 campaign, would be back shortly to ask for a complete repeal of section 315.

Mr. Chairman, if we may have order, I realize I am in the minority on this and probably that is why I have concern for the minority who are excluded from consideration by virtue of this suspension.

Mr. Chairman, my point is this. The fears that I expressed about the networks' desire to control political time given to candidates of all parties in this country have been borne out by the recent hearings of our subcommittee. Everyone from the networks and the National Association of Broadcasters came before us and asked not for the suspension which this bill provides, but for complete repeal of section 315 which at the present time guarantees candidates for political office the right equal to that given to their opposition by a radio or television station. Now that is an American right, an American privilege and an American heritage. What we are doing here is the same thing we did in 1960, whittling away at these rights. It is curious that in 1960 the networks said they were not able to provide the major parties with the amount of time without the suspension that they would provide them, if the suspension were granted. I have contacted the FCC to get the figures on the time that was given to the presidential candidates or their spokesmen—Republicans and Democrats. These figures have to do with 1956 and that is before this suspension went into effect and when the equal time provisions of section 315 were in full operation.

Mr. Chairman, in 1956 the radio networks gave the Democrats 9 hours and 3 minutes. They gave the Republicans 11 hours and 45 minutes. All other candidates for President and Vice President were given 11 hours and 45 minutes. Now, in 1960, after we suspended this provision, they gave the Democrats 10 hours and 48 minutes, and the Republicans 10 hours and 48 minutes. So from the standpoint of actual time consumption there is very little difference in the radio time given the two major parties in the 1956 and 1960 campaigns. Remember the big argument used by the networks was that "if you suspend this we will be able to give the Republican and Democratic Parties more time because we will not have to devote this time to the fringe parties, to the minority groups, and we will give it all to the major groups."

Well, Mr. Chairman, they did not do it. They gave them practically the same amount of time in 1956 as they did in 1960.

Mr. Chairman, here is what they did in television: In 1956 they gave the Democrats 8 hours and 25 minutes. In that same year they gave the Republicans 10 hours and 43 minutes. They gave all others 10 hours and 30 minutes.

Now, in 1960 they gave the Democrats 8 hours and the Republicans 8 hours, and all other parties 1 hour and 20 minutes.

In 1960 over the radio networks they gave all other parties 51 minutes. For all practical purposes no advantage was taken of the argument used as the main basis for granting this suspension.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BENNETT of Michigan. Mr. Chairman, I yield myself an additional 5 minutes.

It boils down to the fact that the radio and television networks of this country want to control all political time.

Mr. Chairman, if Congress wants to give them that right I guess that is what Congress can do. But I doubt very much that the American people want the television and radio networks, an industry in this country, to control political time. I believe they agree with the provisions of section 315, which provide for equality.

So, Mr. Chairman, it is too bad if some crackpot candidate like Lar Daley was given 5 or 10 minutes on radio or television. It is too bad, is it not, in a democracy that someone who disagrees with the majority view is given an opportunity for a few moments to express his viewpoint? Certainly in all of our history—and if you will look it over carefully you will find not only in the history of the debates in this great body, but in the debates that took place by candidates over the years—that very often time demonstrated that the minority view was the right view and it later became the prevailing view.

So, Mr. Chairman, when you deprive a minority group, regardless of who makes it up, of the right to be heard—and that is what the networks did in 1960—we are not following the spirit of the American concept. They gave all candidates for President and Vice President, other than the two major parties, 51 minutes on the radio and they gave all parties other than the Republican and Democratic Parties 1 hour and 20 minutes on television. Granted, I personally think that most of those minority parties are crackpots, and I disagree completely with their philosophy, but I say, like Voltaire, they have a right to be heard. We are depriving them of that right if we approve this legislation. Even though we only suspend it for the presidential campaign, I think, Mr. Chairman, it is the wrong thing to do.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. BENNETT of Michigan. I yield to the gentleman from Michigan.

Mr. HUTCHINSON. The gentleman has cited some figures indicating the performance in the last campaign in regard to the Democratic and Republican Parties. May I inquire of the gentleman, if this suspension goes through will there be any assurance in law that any of these broadcasters will be compelled to assure equality of time as between the two major parties?

Mr. BENNETT of Michigan. No.

Mr. HUTCHINSON. Will it say they must give the Republican Party the same as they give the Democratic Party?

Mr. BENNETT of Michigan. No. It is left to the discretion of the network or station. The section of the law providing equal time is suspended. We are merely giving the networks a little easier way to present the candidates of the major parties. I indicated that even after the 1960 suspension they did not give more time than they did in 1956.

But here is another thing that should be considered. There are plenty of programs today of the news and interview type, such as "Meet the Press," "Face the Nation," and a half dozen others, produced by the networks which are perfectly logical and perfectly good formats and upon which a Republican or Democrat candidate for President can appear and present his views to the American people without violating the provisions of section 315. As long as it is done on regular news interviews or regular news documentaries it is completely exempt under present law. But they are not satisfied with being exempt. They want to be exempt in their own way. They want to control the distribution of the political time in their discretion.

Mr. Chairman, I say it is unfair and un-American to permit them to do so.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. BENNETT of Michigan. I yield to the gentleman from West Virginia.

Mr. STAGGERS. I agree with the gentlemen about the section protecting the rights of the minority. We should do that and look ahead and try to take care of ourselves.

I am particularly interested in a phrase used by the minority in its report. I would like to read it and ask the gentleman a question:

> Our friends in the broadcasting industry, having been given merely a glimpse of power in the political arena, are now hungrily pursuing its ultimate; the right to hound people out of office who do not please them, the right to openly groom a successor for an official in disfavor, the right to control completely what an official or candidate may say to his audience in his own behalf, the right to use the airwaves to argue for its own political point of view, its own candidates, and with impunity. A license renewal each 3 years is no defense against the mischief possible under such conditions. Damage done cannot be undone and history indicates that the probabilities of the loss of a license are too small to create a deterrent.

The implication there is that you can buy a radio station and give a broadcast and not give another person the right to be heard. Would that necessarily follow in small stations around the country?

Mr. BENNETT of Michigan. As far as the presidential and vice-presidential candidates are concerned, it would.

Here is another thing to which I would like to call attention. Inequality under the present rulings of the Federal Communications Act in the last few years have been referred to. Radio and television stations are now encouraged to editorialize, which means they can express their opinions on any subjects, political or otherwise. If you listen to a television station or a radio station here in Washington editorialize, you will find they are getting into the area of political discussions, criticizing one party and defending another, criticizing one public official and defending another, all under the guise of editorializing. Our committee is going to go into that subject. What can be done about it, I do not know. But I call your attention to these things to indicate the vast freedom that the radio

and television stations have at the present time, the vast power they have at the present time, the additional power we are giving them when we grant this suspension and the even greater power they desire.

Mr. STAGGERS. I would like to ask, if we pass this resolution today, the States to the South cannot use the airways to promote their candidate for President; or if the gentleman's party decides to split, you cannot do it under this?

Mr. BENNETT of Michigan. Yes.

Mr. STAGGERS. The only thing involved is the two major parties.

Mr. BENNETT of Michigan. You cannot be heard unless the network and the radio industry is willing. They can grant or deny time to anybody they please, but, after a suspension was granted to them in 1960 they gave the generous allowance of 51 minutes to all minor parties on radio and 1 hour and 20 minutes on television.

Mr. HARRIS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I strongly support this joint resolution. I believe that notwithstanding the problems and the difficulties in the use of these broadcast media, it will be, overall, in the best interests of the American people.

Now, this matter is brought to the attention of the Congress now instead of next year because it is felt that it would be better for it to be considered before we get into the heat of the campaign. I personally felt that it would be a whole lot better to consider it in a calmer atmosphere.

As has been said and explained by the chairman of the subcommittee, who has done such a good job in the explanation of this proposal here, this suspension of section 315 has been tried. We have had the experience in 1960 and we know what the result was. I will say to my distinguished friend from Kansas that consideration is being given to extending the suspension of this provision of law to candidates for Governors and to other State offices, such as the U.S. Senate. There are those who would like to extend it to Members of the House.

As was said by the distinguished gentleman from Michigan, there are those in the broadcast industry that want to repeal section 315 outright. Now, the committee did not feel that we should give them that latitude, and I do not, either. This bill has the strong support of the chairman of the Republican National Committee, who testified before the committee. It has the strong recommendation of the chairman of the Democratic National Committee, who testified before the committee.

Something was said a moment ago about the comparison of the hours that were used in the campaign of 1956 with 1960. Let me read to you what Mr. Sarnoff of the National Broadcasting Co. said in his appearance before the committee:

> The limited suspension in 1960 not only made these debates possible, but it enabled the Democratic and Republican candidates for President and Vice President to appear in other programs. For example, their appearances on the NBC television networks during the 1960 campaign totaled 10½ hours, apart from appearances in paid political programs. If the candidates had been paying time and program charges for these 10½ hours of network presentations, the bill would have come to about $1,700,000. This compares with the $1 million which the major parties spent for all the paid political broadcasts on the NBC television network in 1960.

Now let me read what Dr. Stanton, president of CBS, said:

> In 1960 the CBS radio and television networks devoted a total of 16¼ hours to personal appearances of the Democratic and Republican presidential and vice presidential candidates, at no charge to them. This, compared to 36 minutes in 1956. In 1960, another 16 hours were given supporters of the major candidates. Time costs of these 1960 broadcasts exceeded $2 million, and additional time worth another $700,000 was offered to the candidates but not accepted.

Let me remind you of two things. This is a voluntary provision insofar as the broadcasting industry is concerned. It does not have to give any free time. It is permissive. From a practical standpoint it can work only on the basis of an understanding between the candidates and the broadcasting companies. Therefore, from a practical standpoint it must be worked out on a fair basis.

The second thing is with reference to what the gentleman from West Virginia said a moment ago. This permits any broadcasting facility in any given area, or State, or section, to take advantage of this suspension. They can do it in West Virginia, or they can do it in the South, or it can be done on a national basis. So it seems to me with the experience we have had, this legislation would be in the public interest. I have confidence that if there is a minority candidate for the Office of President and Vice President in any section of this Nation who has a chance to make a substantial impact in the campaign, that the networks or broadcasting facilities will in all fairness have to make time available to such a man.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I will be glad to yield to the gentleman.

Mr. AVERY. Mr. Chairman, I am trying to refresh my memory, but if I do remember correctly when we considered this legislation first in 1960 was there not some testimony as to probably what would have come about in the election of 1948 when we did have a third candidate for President with a substantial amount of support? Of course, in retrospect you could not go back and make a firm determination as to what would or would not have happened, but it was certainly my impression from that discussion that that candidate would have been permitted to have equal time with the two principal candidates.

Mr. HARRIS. I can say to the gentleman that the committee had this in mind when we decided again that this was going to be only temporary. Until we find out from an abundance of experience here just how it will operate I do not think it should be turned loose. For that reason I strongly favor that we make this suspension applicable only for the 1964 campaign. As time goes on and we get more experience then I think we will be in better position to know what to do.

Mr. AVERY. Will the gentleman permit me to say that it certainly is not fair to conclude here today that a third candidate for President or Vice President will be precluded from sharing in time.

Mr. HARRIS. I do not think it would be and that is what I want to see, from experience, just how it turns out. It will have some bearing on my position regarding this matter.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield to me for a question?

Mr. HARRIS. I will be glad to yield.

Mr. WILLIAMS. By the same token, if this legislation is passed, is there any requirement that would compel the broadcasters to give equal time to this third candidate?

Mr. HARRIS. Nothing except their fairness.

Mr. WILLIAMS. So the question as to whether a person is a major candidate rests entirely in the hands of Frank Stanton and the other broadcasters, rather than in the U.S. Congress, and rather than in the people?

Mr. HARRIS. The Congress cannot administer these broadcasting facilities, we know that. All we do is provide as a matter of policy how it will be used.

Mr. WILLIAMS. Is it not a fact that the broadcasters themselves will become the sole judges of who the major candidates are?

Mr. HARRIS. I think that is true, and I think that was intended here. I think it was intended that they make judgments on the basis of fairness, and if they are not fair they know they will be dealt with in the future.

Mr. AVERY. Mr. Chairman, will the gentleman yield for one moment?

Mr. HARRIS. I will be glad to yield to the gentleman.

Mr. AVERY. The gentleman from Mississippi makes a reference to the president of one of the major networks. As far as the legislation is concerned, the networks per se are not involved. It is the licensee that this legislation is directed to, and it is the licensee that is being held responsible. Is that not correct?

Mr. HARRIS. That is the practical application of it, yes.

Mr. Chairman, as has already been explained so well by the gentleman from Texas [Mr. ROGERS], the chairman of the subcommittee, the purpose of this legislation is exceedingly simple. It is to suspend the equal opportunity requirement of section 315 of the Communications Act of 1934 for the 1964 presidential and vice presidential campaigns.

Section 315 requires a licensee of a broadcasting station who permits a legally qualified candidate for public office to use a broadcasting station to afford equal opportunities to all other candidates for that office in the use of such broadcasting stations.

The legislation is substantially identical with provisions of legislation enacted by the 86th Congress which made possible the joint Kennedy-Nixon appearances on television and radio during the

1960 presidential and vice presidential campaigns.

Under the provisions of the 1960 legislation, the Democratic and Republican candidates for President and Vice President received many hours of free broadcast time which they might not have received if the broadcast licensees had been required to allow equal time to the several fringe candidates for those offices.

The committee adopted two amendments. The first amendment would specify that for purposes of this legislation the period of the 1964 presidential and vice-presidential campaigns shall be the 75-day period immediately preceding November 3, 1964. This, in effect, makes the period of suspension from August 20, 1964, through November 2, 1964, both dates inclusive. The second amendment is a conforming amendment which substitutes the term "legally qualified candidate" for the term "nominee." This conforming amendment brings the language of this legislation in line with the provisions of section 315 which speaks of "legally qualified candidates" rather than "nominees."

I need not remind the Members of this body that television and radio have become integral parts of political campaigns. By suspending the equal opportunity requirement of section 315 for presidential and vice-presidential candidates, better television and radio coverage of the campaigns of major presidential and vice-presidential candidates is made possible.

The minority views which were filed by four members of our committee stress that the Kennedy-Nixon appearances could have been accomplished under the 1959 amendments to section 315 which exempted from the equal time requirement, bona fide news interviews and bona fide news documentaries. While the minority is correct in this contention to a certain extent, it should be pointed out that the format which was adopted by the candidates for their joint appearances during the 1960 campaign would have had to be modified substantially in order to come within the aforementioned two exceptions.

This format was agreed upon by the candidates themselves and the representatives of the networks. Of course, the same will be true in 1964. Agreement will be necessary with regard to the format and such agreement requires concurrence of the candidates themselves.

The minority views also stress that the 1960 legislation had been used by the broadcasters as an argument in favor of outright repeal of section 315. Our committee in favorably reporting House Joint Resolution 247 had no notion of giving any support to the arguments advanced by several of the broadcast witnesses favoring outright repeal.

Furthermore, some warnings were advanced by the minority members with regard to editorializing by radio and television licensees. Of course, the committee in no way desires this legislation to be construed as taking any position with regard to the desirability or undesirability of editorializing by radio and television licensees. This is an entirely separate question and an announcement has already been made that the Subcommittee on Communications and Power will hold hearings on the subject of editorializing.

As I read the minority views, those who concur with these views do not primarily oppose House Joint Resolution 247. They seem to question the motives of the broadcasters who seek outright repeal of section 315 and they urge a review of present policies with regard to editorializing.

I want to stress that this legislation, as was the 1960 legislation, is strictly limited. It applies only to presidential and vice-presidential candidates. Its application is limited to the 1964 election. And, in order to assure that there will not be abuse, by radio licensees or networks, of this legislation it is specifically provided that the Federal Communications Commission shall submit a detailed report to the Congress not later than May 1, 1965, on the effect of the suspension on the 1964 presidential and vice-presidential campaigns including information concerning requests for time, amount of time made available, total charges, rates, editorializing, distribution of time during various phases of campaigns, and clearance by individual stations of network programs concerning the candidates or the issues. In order to enable the Commission to make this report to the Congress the legislation requires broadcast stations and networks to submit such information as may be necessary for the compiling of this report.

The legislation also provides that the temporary suspension shall not be construed as relieving broadcasters from the obligation imposed upon them under the Communications Act to operate in the public interest. I believe the membership of the House will agree that the American people expect to have every opportunity to observe the major presidential and vice-presidential candidates during the 1964 campaign by means of radio and television. It has been estimated that an average of 85 million people watched the joint Kennedy-Nixon television appearances during the 1960 campaigns.

The adoption of this legislation will assure that the 1964 campaigns of the major presidential and vice-presidential candidates will receive equally extensive, if not even greater, television and radio coverage.

I, therefore, urge the membership of the House to support this legislation.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 6 minutes to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Chairman, I rise in opposition to this resolution. In retrospect we ought to see what happened the last time. I voted for this resolution in 1960 on the promise that they would have debates. The whole argument was that we would have grand debates similar to the Lincoln-Douglas debates. What did we get? We got only a glorified newspaper interview. That is all it was.

Previously we had exempted such programs as "Meet the Press," "Face the Nation," programs of that kind. They were already exempt. We had taken care of the Lar Daley case by exempting a candidate who appeared in a newscast, where the appearance was incidental to the newscast. So we had taken care of those essential matters. The program that was presented could have been presented on "Meet the Press" or "Face the Nation," which was already exempt and it is still exempt.

The only difference is they had two candidates instead of one appearing on the program. But they could have had two just as well as one. So that from a practical standpoint there is absolutely no necessity for the adoption of this resolution.

I hate to disagree with our excellent chairman about bringing this matter before the Congress at this time, but I think there is a very well thought out program of bringing it to us at this time, for fear that there might well be a third party or a third candidate of some prominence who could be absolutely excluded from any program.

They talk about this being a matter of fairness. Just the other day, if I was informed correctly—I did not see the article, but it was in Mr. Laurent's column in the Post—the present Chairman of the FCC recommended that section 315 be repealed. I want to say to this House that if the time ever comes when you repeal section 315 you are going to put into the hands of the broadcaster the election of your Congress, your Senate and all of your public officials, without any question. If you want to set up in this country a royal family this is the way to do it, without any question. And tack onto that the recommendation of Mr. Minow when he left, to do away with the FCC and to put in an administrator appointed by the President. This is a far-reaching proposal. If you can see what is being done here I do not believe that this Congress at this time should extend this kind of waiver of section 315. Every time you whittle away part of it, you give to those who want to repeal 315 a reason for repealing it. That is certainly what has happened.

The networks came before us with the idea that the networks did so well with the last exemption that now we should repeal section 315.

That is the purpose of this present action. It is the same old story. You never saw an alcoholic who did not take the first drink. It is the same with this. You will never repeal 315 if you hold tight to it and do not chisel it away, but if you start chiseling it away you are surely going to have 315 repealed.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. Yes; I yield gladly to my chairman.

Mr. HARRIS. Does the gentleman not feel that the communications media, which are a public national resource, belong to the people, and are franchised through the Commission for their operation, should be used, then, to the best advantage of all the people?

Mr. YOUNGER. In answering my chairman, I am so strongly in favor of that, and the record will show and the

hearings will show that I disagree with the editorializing. I think that the broadcasters who came before us, want the right to editorialize, and want the same right as newspapers, are just as wrong as rain, and that right should never be granted.

Mr. HARRIS. The gentleman knows that the question of editorializing is not involved here. I will say, though, that on July 15 we are going to initiate hearings in the Subcommittee on Commerce and Power on the question of editorializing and other things involved with the overall problem. As the gentleman remembers, I told the committee that we would have further hearings at the discretion of the subcommittee in order that additional points not involved here may be considered and decided as the committee thinks best.

Mr. YOUNGER. That is true. The gentleman remembers I was going to submit an amendment to this joint resolution, which I withdrew when the chairman of our subcommittee promised to hold hearings on editorializing. My record is rather clear on that, as the chairman of the subcommittee well knows.

Mr. BENNETT of Michigan. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I support the bill to suspend the equal-time provision of the Communications Act with respect to the 1964 presidential campaign. This is a realistic measure, and one which served its purpose well in the past.

This is not, however, a solution to all the problems which may arise concerning the use of radio and television in a presidential campaign. I want to call attention, in particular, to the fact that no solution has been evolved to solve the campaign problem of an incumbent President delivering a speech or making an appearance on radio or television, respecting a subject of national importance. There is a history of controversy on this point which has affected both parties.

In 1936, during an election year Republicans were denied by the networks an opportunity to reply as they chose to President Roosevelt's fireside chats. Yet no action was taken by the FCC. In 1956, President Eisenhower addressed the Nation on the Suez Crisis, an appearance his political opponent Adlai Stevenson considered partisan. A request from the networks for a ruling by the Federal Communications Commission was met with silence at first, the Commission deeming it too complicated an issue for an immediate reply.

Reasonably confused, the networks of their own accord then offered the time to reply to Mr. Stevenson and to the presidential aspirants of the Socialist, Socialist Workers, and Socialist Labor Parties. The Republican Party, in turn, considered this to be a partisan presentation, and asked for equal time. The day before election, the FCC broke its silence and decided that the speech by President Eisenhower did not necessitate a reply. Three members formed the majority opinion, a fourth contended that no reply was required at any time to a Presidential address. Two Commissioners refused to rule because of the complicated nature of the case, and one said the equal-time rule applied. The networks then offered time to President Eisenhower to reply to Mr. Stevenson, and the others, but this was declined.

Ironically, the man who wrote a legal memorandum for Mr. Stevenson's position in this case later became Chairman of the FCC, Mr. Minow, left behind a number of accomplishments when he resigned, but the settlement of this problem was not one of them.

Of course, if this suspension of the section 315 equal time requirement is passed, the question of equal time will not apply. This fact makes the need for setting up some sort of a rule of thumb all the more imperative. Certainly, there are times when the President should have an opportunity to address the Nation on a crisis situation without the pressure of any additional partisan comment. Even here, however, the crisis may be such that it will continue over into the next administration and the people have a right to know what is the position and opinion of the man who may be the next President, though not the incumbent.

Other problems arise from the length of congressional sessions, the possibilities of additional Presidential messages and press conferences, during an election campaign. I would urge the distinguished gentleman from Arkansas to include in any further probes of the communications media the use of political broadcasting, taking into consideration the problem of the incumbent President. Perhaps consultations between the FCC, the committees involved, and the industry itself, would be appropriate. Certainly this is the year to settle the problems involved, and to lay the ground rules, rather than wait until the inevitable heat of an election campaign clouds the issue.

Mr. BENNETT of Michigan. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. MCCLORY].

Mr. MCCLORY. Mr. Chairman, the resolution under debate would seem to help relieve our radio and television stations from an unreasonable control provided by the equal-time requirements of section 315. My familiarity is principally with several radio stations which might be regarded as small as compared to our larger network stations.

The manner in which section 315 has been applied with regard to all nominees imperils the licenses of these smaller stations in their efforts to apply these provisions fairly. As for me, I have confidence in the operators of our radio and television stations to accord equal time to any legally qualified candidates for President and Vice President.

This resolution appears to me to be in the interest of greater freedom for the radio and television operators and greater freedom for the American people.

Mr. BENNETT of Michigan. Mr. Chairman, I yield such time as he may desire to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, being a member of the subcommittee that studied this legislation, I want to state for the record that I am wholeheartedly in support of it. I think it will serve a useful purpose, and I hope it does pass.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. BROYHILL].

Mr. BROYHILL of North Carolina. Mr. Chairman, I rise in support of House Joint Resolution 247. I, along with the gentleman from California [Mr. YOUNGER] and the gentleman from Nebraska [Mr. CUNNINGHAM] am a member of the Subcommittee on Communications and Power, which heard the testimony on this joint resolution, and listened with interest to the testimony given to the committee.

At the present time, section 315 of the Communications Act requires broadcasters to adhere strictly to an equal-time provision in regard to political candidates. While in theory the equal-time requirement seems consistent with a basic desire to insure fair play and full discussion, inflexible application of this principle will frustrate the very reason for its adoption.

The problem, of course, is the proper coverage of a political contest, and how to achieve the maximum of coverage with a minimum of unfairness. In 1960 the Congress examined this question and suspended for the 1960 campaign the application of section 315, as applied to the nominees for President and Vice President. Without a doubt the 1960 campaign was viewed and discussed by far more people than ever before. It is estimated that untold millions of people followed the campaign with interest. The section 315 suspension at that time encouraged the networks as well as the local broadcasters to devote free air time to the fullest coverage of the political campaign. I say we must lift this restriction again and take the broadcasters out of their straitjacket. The broadcasting industry, I feel, has proven that it is responsible and that it will respond rapidly to serve the public interest with fairness with regard to coverage of the presidential campaign. Yes, as the gentleman from Texas [Mr. ROGERS], the chairman of the subcommittee has pointed out, some of the broadcasters did want to see section 315 repealed entirely. The committee heard their views but took no action on this question. The question is on the repeal of section 315 only in regard to nominees for President and Vice President. I say that this suspension is made with the realization that the national spotlight will quickly reveal any favoritism that might occur and that any favoritism will quickly reflect on the national reputation of any network or any station that might be involved.

As everyone knows, the cost of presidential campaigns has been increasing by leaps and bounds. There is the danger of direct intervention by the Government in the subsidization of national political campaigns unless some means are found to reduce these costs. This I would resist.

So, I believe that this House should support House Joint Resolution 247, so that the broadcasting industry can again voluntarily render a service, at great cost to them, which in my opinion, is in the national interest.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, let us look at the 1960 campaign. The important thing about it is, did it work? This is the first time it was tried. Did it work?—that is the test. If we said it worked for the Republicans—our candidate presented his case. If we say it worked for the Democrats—it probably did also.

I do not think there is anyone here who believes that the President now sitting in the White House would be there without the exposure that he got side by side with the Republican candidate. May I say to my colleagues on this side of the aisle that the only chance you are going to have to expose your candidate, whoever he is going to be, is going to be over these hours which will be allotted in 1964. It is a very practical matter. It is important on this side of the aisle that we have time which will be given side by side with the candidate in the White House. It is my understanding, if I read his words correctly, about 3 months after he came into office, that he would abide by the same rules that we had in 1960 and that he would meet the Republican candidate in debate. It seems to me this is a fair proposition. We are talking now about getting before the American people the two candidates who have a chance to be elected. The purpose of this is to get the two big parties before the electorate to give them a chance to see the candidates and know what they stand for.

This is the test and this is why I believed in 1960, when I voted for this, that it was good legislation. I believe it is just as good legislation in 1963 as it was then. I will admit just one thing, the networks are going to have to improve on the kind of programing that they gave us in 1960. I do not believe that either party was satisfied with the type of programing that was given in 1960. The networks have appeared before our committee and assured us since then that they will improve their programing and it will give us a better perspective of the candidates in 1964, and that is a good thnig.

For these reasons, Mr. Chairman, I support this legislation.

Mr. SCHWENGEL. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. SCHWENGEL. I would like to ask what right the minority candidate has, if we pass this bill now?

Mr. SPRINGER. May I say that it is in the discretion of the networks as to the time that they want to give. May I say in addition to what the gentleman from Michigan [Mr. BENNETT] just mentioned a moment ago, in many of the States the candidates for President who were running only in that State, were exposed.

In the State of New York you had the Liberal Party and several candidates appeared on one program. It is in the discretion of the networks, but I do not see that they are absolutely kept from exposing themselves and having the opportunity to present their case.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. DEVINE].

Mr. DEVINE. Mr. Chairman, there appears to be nothing more permanent than legislation which is designated as "temporary" by this body. This appears to be another "temporary" suspension of section 315 of the Federal Communications Commission Act.

Mr. Chairman, one thing which the Members of the House should keep in mind is that we are dealing with a public commodity; that is, the air waves that are supposed to be under the control of the Federal Communications Commission.

Mr. Chairman, I received a letter in the last day or two to the effect that the American Civil Liberties Union is opposed to this bill. This is the first time, I think, in 12 or 13 years of public service that I have been on the same side as that organization.

Mr. Chairman, I still feel that this is not good legislation. I would invite the attention of the Members of the Committee to the minority views, specifically as they appear on page 6 of this report. Are we going to put in the hands of certain persons that have control over the networks the decisions as to who are the major candidates and who are the major parties and what are the major issues?

Mr. Chairman, I quote from page 6 of the minority views as contained in the committee report:

> Our friends in the broadcasting industry, having been given merely a glimpse of power in the political arena, are now hungrily pursuing its ultimate; the right to hound people out of office who do not please them, the right to openly groom a successor for an official in disfavor, the right to control completely what an official or candidate may say to his audience in his own behalf, the right to use the airwaves to argue for its own political point of view, its own candidates, and with impunity.

Mr. Chairman, that is the key issue in this particular legislation. That in my opinion is objectionable, and any of us can turn on any of the local radio and television stations and hear them say "this is a TV editorial." It gives this right to the local licensee dealing in a public commodity, the right to express their personal views, but equal time for the opposition is not permitted.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman and Members of the Committee, I wish to associate myself with the minority views that are submitted to this body.

Mr. Chairman, I would like to call attention to the fact that there have been requests for the complete repeal of section 315. In my judgment such a move would be a complete threat to the future independent operation of our communicative media. I believe the networks should have in mind that perhaps the equal time rule may be a protection to the networks themselves. When a license comes up for renewal, pressure can be exerted on them if this goes all the way.

Mr. Chairman, I would like to call attention to a recent memorandum that went out from the Department of Agriculture to the various ASC committees all over the United States just before the recent wheat referendum. This memorandum was issued for the purpose of calling to the attention of ASCS committeemen the availability of free public service time. It pointed out that stations would be responsive to suggestions since their licenses come up for renewal every 3 years. It was suggested, of course, that care be exercised to avoid giving the impression of coercion.

Mr. Chairman, an article which appeared in the June 16 issue of the Minneapolis Tribune also calls attention to pressures that have been put on the stations. I ask that this article by Richard Wilson be included at this point in my remarks.

[From the Minneapolis (Minn.) Tribune, June 16, 1963]

ARM TWISTING ON A HIGH LEVEL

(By Richard Wilson)

Arm twisting, one of the favorite techniques of the New Frontier, has been disclosed on a new and rather more impressive level.

The arm-twisting method was previously noted in the steel price controversy, the Cuban prisoners deal, and the more benign drive for funds for a $30 million national cultural center. This technique has attained respectability in the Kennedy administration and officials can see nothing wrong in it, for they conceive their cause to be just.

The method consists of psychologically suggestive pressure on individuals or corporations to support or go along with Government action. When skillfully applied, the individual cannot honestly charge that he was threatened with reprisal or tempted by reward; he only knows he has been shaken up.

He may have an antitrust suit pending and have his mind on this when exposed to Government persuasion; but the persuaders, of course, say they do not have this in mind at all, only the public welfare.

In the new instance the pressure was perhaps more overt. In fact, it was crude. The farm bureaucracy openly and threateningly brought pressure on federally licensed radio and TV stations to give free time for the Government's version of the issues in the national wheat referendum.

No subtlety was involved. A national directive went out to State managers and local committeemen of the farm program to bring to the attention of radio and TV stations that they are federally licensed for 3 years only and the renewal of their license could depend upon the adequacy of their public service programs. This responsibility was particularly compelling, it was stated, with respect to public service agricultural programs.

The innuendo of the directive was amazing. Public service programing, it was stated, is promised by radio-TV stations "in return for two special favors granted by the Government," exclusive use of a broadcast frequency, and "the policy of the Government not to establish federally operated stations in competition with stations being operated commercially." Of course, the directive added, this does not make stations "subject to dictation."

The directive was sent out by Ray Fitzgerald, Deputy Administrator for State and County Operations of the Agricultural Stabilization and Conservation Service, presumably with the approval of Secretary of Agriculture Orville Freeman.

With vague images evoked of licenses revoked or Government operated competitors, a good many radio and TV stations complied. A spot check shows that prime time was wangled in Indiana, Kentucky, and Minnesota, and probably elsewhere on a broader scale. Some of the stations gave their time willingly enough. They wanted just such programs. Others felt they were highly pressured.

It might be supposed that this was only in the interest of serving the wheat farmers with a factual, unbiased view of the issues before them.

But Fitzgerald's directive belies this trusting view in one sentence: "As you know, interests representing one point of view in the referendum are blanketing radio and television stations with material in heavy quantities. It is not expected that we can match the flood of material from this group, which is also in a position to buy time. But it is essential that we act aggressively to make use of public service times of radio and television stations at times of day when farm people are listening."

Farm people listened and voted. The Government could not get even a majority for the adoption of its compulsory control program for wheat. A two-thirds majority was necessary for its adoption. Rather than submit either to authoritarian control of their farms or the methods of the not-so-hidden persuaders, wheat farmers were ready to take the risk of lower income.

Now the same bureaucracy which had so little knowledge of the people it was serving has adopted a dog-in-the-manger attitude toward new legislation. Wheat farmers would readily consider a new program patterned after the voluntary programs for feed grains coupled with acreage retirement.

But the bureaucracy still has its mind on arm twisting. Let the farmers suffer a little and they will come back with their tails between their legs. This was a bad technique in the beginning. It is bad now. Mr. Kennedy would do well to bring it to an end and make a constructive beginning on a new wheat program that farmers want.

Mr. NELSEN. Mr. Chairman, if we repeal section 315 or whittle away at it we can assume, regardless of political party, whether we be Democrat or Republican, that the licensing of radio and television facilities in our country could be subject to pressures exerted on the networks and stations to do what is politically expected and what would please, depending upon who is in power.

Mr. Chairman, I believe if we continue to extend this suspension of 315 we are going in the wrong direction as to the protection of the networks and as to the protection of the public.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, I have listened with a great deal of interest to the discussion here today, and I join with those who have made the minority views available to us.

I should like to make one further observation to the Members on my side. If the rules herein, implied with this legislation, had been applied 104 years ago, there would be no Republican Party for us to belong to. This makes it impossible to get minority views that might be good views before the public for consideration. The public interest nor the best interest of freedom are served by this legislation.

Mr. HARRIS. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Chairman, I rise in support of the bill after having had the assurances of the chairman of the subcommittee and the chairman of the committee that there will be further hearings on this idea of editorializing by radio stations and the unfair tactics of some stations of allowing members of a political party to come there and attack members of the other party without giving them a chance to answer.

Two Members of Congress came before our committee and told of certain stations that allowed people to be attacked day after day and day after day on free time, and they did not have the time to come in and answer. I do not believe that should be allowed. We have been assured we will have brakes put on that; therefore I am in accord with the bill we are voting on today.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That that part of section 315(a) of the Communications Act of 1934, as amended, which requires any licensee of a broadcast station who permits any person who is a legally qualified candidate for any public office to use a broadcasting station to afford equal opportunities to all other such candidates for that office in the use of such broadcasting station, is suspended for the period of the 1964 presidential and vice presidential campaigns with respect to nominees for the offices of President and Vice President of the United States. Nothing in the foregoing shall be construed as relieving broadcasters from the obligation imposed upon them under that Act to operate in the public interest.

With the following committee amendment:

Page 1, line 9, strike out "period of the 1964 presidential and vice presidential campaigns" and insert "seventy-five-day period immediately preceding November 3, 1964,".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 2, strike out "nominees" and insert "legally qualified candidates".

The committee amendment was agreed to.

Mr. SCHENCK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I regret that general debate on House Joint Resolution 247 was limited to only 1 hour because it has unduly restricted the debate which should have been had on this question. I also regret, Mr. Chairman, that due to conditions over which I had no control it was not possible for me to be present at the time this bill was voted out of the committee. Neither was it possible for me to be included in the minority views which I wholeheartedly support.

Mr. Chairman, I earnestly recommend that all of our colleagues pay very close attention to the minority views as expressed in the committee report. And, while this House Joint Resolution 247 purports to be only a temporary measure, I would respectfully suggest that it has all the earmarks of being the entering wedge effort to make this a complete and permanent deletion of section 315.

Now, Mr. Chairman, such a wide open suspension would increase the power and the influence and the control which can be exercised by the Federal Communications Commission, radio station and television station management and the networks, at any time, and this generates a fear which may or may not be well founded but which exists, that the radio or television stations which do not comply may run into all kinds of roadblocks at the Federal Communications level when their renewal licenses come up for consideration especially if these radio stations and television stations have not granted time in accordance with the views and desires of some influential person.

I had a circumstance related to me, Mr. Chairman, very much along this line, and I think it can be well documented.

It will no doubt be denied publicly, Mr. Chairman, but nonetheless, I think it is true, that the networks have practically life or death control over the financial success or failure of an individual radio or television station. It is my impression that an individual radio or television station cannot remain a profitable operation unless it receives network programs. Thus it becomes an obligation upon an affiliated radio or television station to carry a network program whether or not the subject of the program and its contents appeals to the local stations. With this kind of a stranglehold, and if section 315 is deleted, the networks could become a tremendous if not overpowering influence in determining the election of the President of the United States or the election of any other public official who might be included in any future broadening of such a program.

Now, again I say to my colleagues, it is my understanding that the approval of this bill today is but the beginning of an effort to get a complete deletion of section 315 from the Federal Communications Act, as amended, and I submit this is not in the best public interest.

Mr. Chairman, I urge my colleagues to disapprove this resolution, House Joint Resolution 247.

Mr. WILLIAMS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if I had been told 20 years ago that there would be legislation before this House which had for its purpose a restriction on free speech, I would have thought such a suggestion completely fantastic.

Voltaire has been quoted here many times, even by those who support this legislation in this House when he said, in effect, "I may not agree with what you say, but I will defend to the death your right to say it." This bill certainly cannot be reconciled in the light of that statement.

The gentleman from North Carolina [Mr. BROYHILL], a few minutes ago, speaking in support of this legislation, said that its purpose was to provide a maximum of political coverage with a minimum of unfairness. I submit, Mr. Chairman, that the very purpose of this legislation is the exact opposite: to provide a minimum of coverage with a maximum of unfairness.

The name of a man out in Chicago, Lar Daly, has been brought into this discussion. Now, I do not know who Lar Daly is, and I do not much care, but if under the laws of the State of Illinois Lar Daly, being an American citizen, had qualified as a candidate for public office, who are we to say that Lar Daly does not have the right to exercise the same rights and prerogatives that any other American citizen has who is running for public office?

Now, I have seen the manner in which the Federal Communications Commission administers their rule of fairness. As a matter of fact, I have had some experience with this. I have been the victim of one of their blackmail operations in one of my campaigns. I have seen the way that they administer the rule of equal time. Just the other day, when the President went on the radio and propagandized his civil rights bill, the opponents of that preposterous legislation were denied equal time to plead their case.

As bad as the FCC administration of the fairness doctrine and the equal time doctrine is, I trust their administration much more than I do that of CBS Frank Stanton, NBC's Mr. Sarnoff, or Mr. Moore of ABC. I know it is said that the stations themselves govern this, but everybody knows that the stations cannot divorce themselves from the networks.

If I remember correctly, back in 1948 we had a campaign for President. To read the newspapers back in that day, and to read the Gallup polls you would have thought there was but one major candidate in the race, and no one else could win. If this bill had been in effect in that day, they could even have cut off Harry Truman from radio and television because nobody thought he was really a serious candidate. Even so, he surprised nearly everyone in America by winning by a wide margin. At the time of the conventions he may not have been a major candidate, but he became a major candidate.

Mr. Chairman, who is to make the determination as to who is a major candidate? Is it to be a matter of congressional policy? Is it to be a matter which is to be determined by the people? No. Under this bill three people will determine who will be the major candidates. Those people are General Sarnoff of NBC, Mr. Frank Stanton of CBS, and Mr. Tom Moore of ABC, and that is too much power to put in the hands of anyone. As far as I am concerned any candidate, no matter now minor he might be, so long as he is a legally qualified candidate, has the same rights, privileges, and immunities as any other candidate for the office that he seeks, no matter how little his chances of election may be.

I hope this legislation, Mr. Chairman, is defeated.

Mr. RYAN of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN of New York: Page 1, beginning with line 9, strike out all down through "United States." in line 4 on page 2 and insert in lieu thereof the following: "is suspended for the seventy-five-day period immediately preceding November 3, 1964, in the case of any program in which the presidential candidates of the Democratic and Republican Parties, or any other legally qualified candidates for President, are presented together."

Mr. RYAN of New York. Mr. Chairman, as I understand the purpose of the bill before us today, it is to provide opportunity for the candidates for President to debate the issues in the same way in which the presidential candidates in 1960 debated. I have offered this amendment to make sure that in doing this, in trying to achieve this objective, we allow for television debates, but we do not at the same time eliminate the equal time requirement for all broadcasts involving the presidential and vice-presidential campaigns. In other words, my amendment would suspend the equal time provision only for joint appearances between presidential candidates, joint appearances between the Democratic candidate and the Republican candidate, or joint appearances between any two or more legally qualified candidates. This, it seems to me, meets the purpose of the proposed bill. It provides an opportunity for the kind of debate which was so worthwhile, and instructive, and constructive during the 1960 presidential election, and at the same time preserves for every other facet of the campaign the law as it now stands requiring equal time for all candidates.

I hope that this amendment will meet with approval. I seriously believe that the proposal to which it is offered as an amendment, the original proposal, is entirely too broad and leaves complete discretion in the hands of the broadcasters. It can have the effect of preventing third party candidates or other candidates from having the opportunity to present their views before the American people.

Mr. Chairman, it is vital to our democratic system that the electorate be afforded the opportunity to consider all candidates and the pros and cons of all issues. Broadcasting is a principal source of such information. First radio and then television have become powerful political instruments. Section 315 of the Federal Communications Act was enacted to insure equal treatment for all candidates. If the pending bill is passed, not only third party candidates but the major party candidates will be dependent upon the discretion of the broadcasters. Broadcasting is a public trust which should be subject to public regulation. Freedom of expression for a minority point of view should be protected.

Mr. HARRIS. Mr. Chairman, will the gentleman yield for a question?

Mr. RYAN of New York. I yield to the distinguished chairman of the committee.

Mr. HARRIS. What does the gentleman mean by his amendment when he says "are presented together"? Does that mean that if there are half a dozen candidates for President and Vice President they have all got to be on the stage together?

Mr. RYAN of New York. No, sir; it means that any two candidates must be presented together.

Mr. HARRIS. That is not what the amendment says.

Mr. RYAN of New York. That is my intention. The key word is "or."

Mr. HARRIS. The gentleman says in his amendment, "in the case of any program in which the presidential candidates of the Democratic and Republican Parties, or any other legally qualified candidates for President, are presented together."

In other words, if you had 18 candidates, as you did in 1956, I suppose the amendment would mean, if they were all recognized as legally qualified candidates, that all 18 would have to be presented together. Is that the interpretation of it?

Mr. RYAN of New York. My interpretation is that this would apply to the 75 days, as the joint resolution does, before the election. It would apply to those presidential candidates who were legally designated by the Democratic and Republican Parties or any other legally qualified candidates. And if any two of these candidates agreed to appear together, then there would be an exemption from the equal-time provision.

Mr. HARRIS. In my judgment that is not what the amendment says.

Mr. RYAN of New York. I would be happy to accept any language the distinguished chairman feels would express that purpose more adequately. I believe this does express that purpose. The word "or" means what it says. The language does not say "and," I might point out.

Mr. HARRIS. Mr. Chairman, will the gentleman yield further?

Mr. RYAN of New York. Gladly.

Mr. HARRIS. I am opposed to the amendment and therefore I have no language to suggest to the gentleman that would be satisfactory to me.

Mr. RYAN of New York. I suspected that was the case, Mr. Chairman. However, I do think that the colloquy between the distinguished chairman of the committee and myself has made it clear, if the language does not—I believe the language does—make it clear what my intention is. This would certainly guide the Federal Communications Commission in administering the act. I hope we can limit the suspension of equal time to the debate proposition.

Mr. BENNETT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. RYAN of New York. I am glad to yield to the gentleman from Michigan.

Mr. BENNETT of Michigan. I think the gentleman would accomplish the purpose he seeks by his amendment by simply voting against the bill.

Mr. RYAN of New York. If the bill is not amended, I intend to vote against it. On the other hand, it has been argued that without some amendment to section 315 the broadcasters would not

provide a forum for debate. So the real purpose of this amendment is to provide that forum.

Mr. HEMPHILL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise not only in opposion to the amendment of the gentleman from New York [Mr. RYAN] but in support of the bill, because it has been my basic philosophy here to legislate in a way that whenever we can we avoid regulation of any industry—and I refer in this instance particularly to the communications industry—when we do so we are accomplishing something in the interest of free enterprise in this country. As I understand the conditions today we have on the one hand a free press, which is free to give time or to give editorial support or perhaps editorial criticism, or perhaps to slant news, if it wants to slant it for or against any public official, and this freedom is far too often abused. On the other hand, we have the Federal Communications Commission, sitting as it were as a monitor or a policeman on top of the communications industry which has to compete with the newspaper industry, compete every day.

In 1960, in order to give that industry a chance to prove what it could do for the American people in bringing to the American people the messages from the candidates for President of the United States, we suspended the provisions of section 315 for the debate which has now become a part of our political history.

I do not think the gentleman from New York wants this, but if the gentleman's amendment is adopted its effect would be to kill this bill which the committee has worked out. It will cast into the trash can the bill which the committee has approved. Not only that, I fear that the amendment as written, whether voluntarily or involuntarily, will give stature to those candidates to whom nobody wants to give stature, such as candidates of the Communist Party, the Socialist Party, and some others, time, publicity, and stature they do not deserve. That is what this amendment will do if it does not kill this legislation.

It seems to me there is an opportunity here not only in opposing this amendment but in passing this legislation to say to the American people that Congress in its wisdom, having had the experience of 1960, in keeping with the free enterprise idea of America, because of its previous experience will use that experience in 1964 to see whether or not in the future, and this would be my hope, section 315 of the Federal Communications Act would be entirely unnecessary.

We must not forget that if we were to delete the entire section we still have the regulatory commission, which I hope will continue as an arm of the Congress, and the communications industry recognizes, because I have talked to many of them, that if they abuse any of their privileges not only can they be faced with the loss or delay of their license renewal when it is called up, but the Federal Communications Commission has certain rulemaking power, the Congress is still sitting, the Congress is meeting every year, and if this were abused in 1964 certainly we could correct it in 1965. We did not find it necessary to correct in 1961 what was done in 1960.

So I hope this amendment will be defeated, because we do not want to kill what the committee has intended, effecting the regulation, for once, by the Congress. Not only that, but we do not want to give stature to someone who may become a presidential candidate and demand that he be put on the radio or television with those men who are candidates of the Republican and Democratic Parties, and give stature to people who do not deserve it and who are running only to get publicity or getting the time which the gentleman's amendment would require. I certainly think he does not want that, and I hope the amendment will be defeated.

Mr. BENNETT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield.

Mr. BENNETT of Michigan. The gentleman says that these minority parties we have been talking about do not deserve any consideration. Does the gentleman think that whether they deserve consideration or not should be within the discretion of the broadcasting industry?

Mr. HEMPHILL. I think we should go to the pending legislation, on page 2, lines 4, 5, 6, and 7, which requires that the station act in the public interest. They deserve consideration, but they must earn stature.

Mr. BENNETT of Michigan. In 1956, the so-called other parties got 11 hours and 45 minutes' time on the radio. When we suspended that section in 1960 they got 10 minutes, in toto. Does the gentleman consider that to be in the public interest?

Mr. HEMPHILL. I did not hear any kick about it. The public did not demand any more time for them.

Mr. BENNETT of Michigan. There was no kick about it at the time.

Mr. CUNNINGHAM. Mr. Chairman, I rise in opposition to the amendment.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all debate on this amendment, and all amendments thereto, close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CUNNINGHAM. Mr. Chairman, I think this amendment ought to be defeated. It is a nuisance amendment and it would cut the heart out of the bill. It will serve no useful purpose. As a member of the subcommittee, may I say we studied this legislation carefully. We heard many witnesses. Perhaps some of the Members were not on the floor when the details of the bill were discussed today but this is a very simple proposition. We want to have, or at least some of us want to have, a confrontation between the candidates for President and Vice President of the United States, that is, the candidates of the two major political parties.

In order to have this confrontation, sometimes called debates, we have need for this legislation because if this legislation is not passed, there will be no debates or confrontation between the two nominees of the two major political parties. The reason for that is we will have to enforce the equal time provision, and if a network or station would have to give time to all candidates, it would be an impossible situation and would result in no time given to any candidate.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman.

Mr. HARRIS. The gentleman is certainly making a very appropriate statement. I would like to say, with the permission of the gentleman however, that this is not a requirement that the candidates must have such confrontation. It is a voluntary thing and an arrangement that must be worked out with the candidates themselves. That, of course, adds to the rule and doctrine of fairness that must be applied.

Mr. CUNNINGHAM. The distinguished Chairman is absolutely right. The point I was trying to make is that if we do not pass this legislation, there will be requests made by a score of minority party candidates, candidates like the Socialist Party candidate for President or the Vegetarian Party or the Prohibition Party and all of the other nuisance groups that are trying to get publicity. If a network or radio station is confronted with such requests, they are going to have to turn them all down including those of the two nominees for the major political parties. So the only way we are going to be able to hear debates and have this confrontation between the nominees of the Democratic and Republican Party is to pass this legislation. If we do not pass it, there will not be any public debates and confrontations such as we had in the 1960 campaign.

Mr. RYAN of New York. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman.

Mr. RYAN of New York. If the gentleman had listened to the remarks I made in support of my amendment, he would realize that the very purpose of my amendment is to exempt from the equal time provisions of the law presidential debates and confrontations which are a part of the democratic process. We looked at them in 1960, and we are looking forward to them in 1964. The very purpose of my amendment is to exempt such debates by presidential candidates and to provide that no equal time is required to be given where there are debates between presidential candidates. Otherwise the law is kept intact. If the intent of the Committee on Interstate and Foreign Commerce is to provide an opportunity for debates between presidential candidates, then my amendment will accomplish the purpose.

Mr. CUNNINGHAM. I thank the gentleman. But I do think this is a nuisance amendment and would knock the heart out of this bill and I recommend that the amendment be defeated.

Mr. BENNETT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman.

Mr. BENNETT of Michigan. The gentleman from Nebraska is a very able and distinguished member of our committee. However, I cannot agree with him that if this bill is not passed, we could not have Presidential debates. There is nothing under present law to prevent the networks and the candidates from getting together and arranging for the same identical kind of debates as were arranged for in the 1960 campaign. There is not a single solitary thing in the present law that would prevent that. So if the gentleman thinks that without this bill there will be no debates, I am sure he is honestly mistaken in his views.

Mr. CUNNINGHAM. I do not think the gentleman from Nebraska is mistaken. The effect of this is that it will facilitate debates, and if it is not passed, the networks will not assume the responsibility of providing equal time for perhaps a dozen major and minor party candidates and, therefore, there will not be any debates or confrontations. This legislation is endorsed by the two great political parties, by Mr. Bailey of the Democratic National Committee and by Mr. Miller of the Republican National Committee. This has nationwide support. We want to hear our two major political Presidential nominees.

Mr. Chairman, I urge the defeat of the amendment and the passage of the bill.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment of the gentleman from New York.

The amendment was rejected.

Mr. YOUNGER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, let us straighten the record on the testimony. If the members of the Committee will read the testimony, they will find nothing in the record that the networks said they would improve the program. As a matter of fact, they cannot improve the program.

Mr. Chairman, I want to say in honesty to the networks that they did want the debates; they would have preferred a debate, but the two candidates in 1960 would not agree. The only kind of a program they would agree on was this press interview. That same press interview could have been had on "Meet the Press" and it can be had today on "Meet the Press" or "Face the Nation," or any similar program that is already on the networks.

So, Mr. Chairman, there is not one thing to be gained by this resolution that is not possible and legal today under the present law to put on the same kind of a program that we listened to in 1960, because the "Meet the Press" program can have both candidates present and they can have them interviewed and questioned by the press. That is all in the world that we had in 1960, so let us have the record straight on that question as to what would be accomplished by the passage of this resolution.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. Yes; I will be glad to yield to the gentleman from Iowa.

Mr. GROSS. I have been amazed to hear this argument that there cannot or will not be a confrontation of presidential candidates unless this bill is enacted. I just do not understand this line of argument.

What is to prevent there being a confrontation on television or radio? What is to prevent it?

Mr. YOUNGER. Nothing except the unwillingness of the candidates to meet; that is all.

Mr. HARRIS. Mr. Chairman, will the gentleman yield to me in order to respond to the question of the gentleman from Iowa?

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from Mississippi. He was on his feet first.

Mr. WILLIAMS. Is it not a fact that this legislation rather than providing a vehicle by which the public can become better informed actually restricts information that would be given to the public by eliminating from the air certain viewpoints which the public certainly could well consider?

Mr. YOUNGER. I think that is true.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. YOUNGER. Yes.

Mr. GROSS. What happens to this doctrine about which we hear so much of equal rights if we adopt this bill?

Mr. YOUNGER. I think you will have the airwaves segregated.

Mr. GROSS. If the gentleman will yield further, if this is so good—I ask the question a while ago and got no answer to it—why not go down the line and take in all of the candidates, the candidates of the Vegetable Party and the Sons and Daughters of I Will Arise, and those who are running against Members of Congress? Why not? Why not the same rule all the way down? I am not for this kind of manipulation as is contained in this bill.

Mr. YOUNGER. I think what is good for the goose ought to be good for the gander.

Mr. GROSS. Certainly.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. Yes, I yield to the distinguished chairman of the committee.

Mr. HARRIS. I was going to attempt from a very practical and realistic standpoint to answer the question of the gentleman from Iowa. There are two things which would prevent a confrontation of the major candidates. No. 1 is that they are not likely going to agree to appear on the same program where the parties have to pay for it. No. 2, it means that $2 million has to go into such a program. That is a rather rigid restriction, in my judgment.

Mr. YOUNGER. May I answer the chairman by saying that I am rather positive that the program, "Meet the Press," will be very happy to have both candidates before them, and also the other programs such as "Face the Nation" will be glad to have them. And that with the $1,000-a-plate dinners I think the parties can well afford to buy the time, if that is necessary. There is no guarantee in the passage of this bill that you will have anything at all in the way of the two candidates appearing, because that depends on whether the candidates themselves will agree.

Mr. SPRINGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all debate on this section conclude in 10 minutes.

Mr. WILLIAMS. That is not on the bill as a whole?

Mr. HARRIS. On this section.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

Mr. SPRINGER. Mr. Chairman, I object.

Mr. HARRIS. This does not include the time of the gentleman from Illinois.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. SPRINGER. Mr. Chairman, let me see if I can be helpful in getting this minority thing straightened out.

May I say that by this legislation there is not any guarantee of anything. There was not any guarantee of anything in the legislation of 1960. But the networks did assure us in 1960 that they would do their best to have these debates if the two candidates would be willing to come on the program.

As the gentleman from California said, there is no guarantee and there will not be any guarantee if you pass this bill. If you can get the President and the Republican nominee to agree, there will be confrontation. That is all there was in 1960. But I think the President did say about 3 or 4 months after he came into office, after his brother had said he would not appear, the President said, "I will appear," and I think the President means to keep his word. We will see that the candidates will confront each other in 1964.

Let us come to the minority matter and show why it is impractical to do anything if you insist that every small party, regardless of its size, insists on being heard. I think the chairman told you that the three together cost about $3 million, including NBC, ABC, and CBS. If you want to multiply that by 12 more, and there were 12 other parties that were on one State ticket that ran nationwide in the last election, if you want to multiply that 3 by 12, it is 36.

May I say if you are going to allow the other 12 minority parties, some of whom appeared in only one State of the Union, to have equal time, which they are now entitled to under the act, it would cost the networks $36 million. Naturally, they are not going to agree to give equal time to every party when it demands time.

The purpose of this legislation is to get before the American people the two nominees who have a chance to be elected in 1964. That is about as practical legislation as I know.

Mr. Chairman, this has been supported editorially from coast to coast. I have not seen an editorial against it. There may be some to which the Members may refer, but all of the editorials I have seen, and I think I have read them all on the rack out here, have supported it. They supported it in 1960 and they will support it in 1964 because they believe that is the only way the American people can see the two candidates of the two major parties confront each other, and they can then decide after seeing them on television which one of those candidates they want.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. I merely want to say and emphasize what the gentleman has just said, the practical situation that the committee had to consider when we were asked to extend this suspension to other candidates for office. The gentleman knows we considered extending it to candidates for Governor, to candidates for the U.S. Senate, and to the candidates as Members of the House, and even on down to the smaller candidates on the local level. There is not enough time, there are not enough hours in the day if that requirement is carried out for any facility, even if it devoted all 24 hours to the innumerable candidates that exist.

We had some discussion of what happened in New York, in that particular area where we had Members of Congress in the great State of New York, in one small area. If the facilities were to be opened there would not be enough time during the day to give time to all candidates, much less if you limited it to the major candidates of the two parties.

Mr. SPRINGER. May I say to the distinguished chairman that in the State of New York, because I saw it on TV, there were broadcasts for presidential minority candidates where they were actually on the ballot in the State of New York. The networks did not exclude everybody. They did try to give some of these minority parties hearings in the States where they were on the ballot.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. BENNETT].

Mr. BENNETT of Michigan. Mr. Chairman, the argument that has been made here repeatedly by my distinguished chairman and others is—and it is repeating the argument that the networks made—and that came up in our hearings and elsewhere—that if you suspend this, you take less out of the treasuries of the Democratic and the Republican Parties. Well, that is just not the case. In 1956 the networks, both on radio and television, gave more free time than they did in 1960 after you suspended this.

Mr. HARRIS. Mr. Chairman, will the gentleman yield at that point?

Mr. BENNETT of Michigan. Yes; but I have only 2 minutes.

Mr. HARRIS. The gentleman quoted these figures a moment ago, and I read to the House the statement of Mr. Stanton. He is president of the Columbia Broadcasting System, and certainly he knows or should know how much time CBS gave to or devoted or made available for this purpose both in 1956 and 1960. He said that "In 1960 the CBS radio and television networks"—I do not know what the gentleman's figures are or where they are from. This is the CBS networks figures.

Mr. BENNETT of Michigan. I got mine from the FCC, the list being prepared by our staff. I am certain their figures are correct.

Mr. HARRIS. Well, this is from the network itself that operates it:

> In 1960 the CBS radio and television networks devoted a total of 16¼ hours to personal appearances of the Democratic and Republican presidential and vice-presidential candidates, at no charge to them. This, compared to 36 minutes in 1956.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. "This," Dr. Stanton said, "compared to 36 minutes in 1956." Now, that certainly does not jibe with what the gentleman stated.

Mr. BENNETT of Michigan. Well, I got these figures from the Federal Communications Commission. If the Federal Communications Commission has given me the wrong information, that is not my fault.

Mr. HARRIS. If the gentleman will permit, I think where the discrepancy is, the Federal Communications Commission is not only reporting on the time the candidates used but time representatives of candidates used. This does not extend to representatives of candidates.

Mr. BENNETT of Michigan. This is network time used by presidential candidates and representatives in their behalf in the years cited.

Mr. HARRIS. I quoted the statement of the president of the Columbia Broadcasting System.

Mr. BENNETT of Michigan. In this instance, I will take the word of FCC rather than the Columbia Broadcasting System.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

The Chair recognizes the gentleman from North Carolina [Mr. BROYHILL].

Mr. BROYHILL of North Carolina. Mr. Chairman, it would appear there is much made over the fact that under the present regulations, present law, the stations could cover the activities of candidates with bona fide news coverage. This is true. But, the fact remains that the networks and the broadcasters stated in the hearings, that they wanted to use new innovations, they wanted to use new methods of presenting candidates to the American people.

I feel we should give the broadcasters this opportunity. I want to make it clear again that this legislation is only involved with the presidenial and vice presidential candidates and, when we say candidates, we mean these candidates only, and not local candidates and local contests.

I would like to say that in participating in that 1960 election and in listening to all of the hearings, that I feel that the networks were fair and they should be given another opportunity to prove they can do a good job. I certainly hope that this House will vote for this legislation.

The CHAIRMAN. The gentleman from Ohio [Mr. DEVINE] is recognized.

Mr. DEVINE. Mr. Chairman, section 315 of the Federal Communications Act is either good legislation or bad. It has been approved by this House heretofore and the efforts here today are again, as they were in the 1960 campaign, to suspend these provisions as they relate to presidential and vice-presidential candidates. I think there is a clue that reflects on what some of the Members have been saying about who is going to control air time and what candidates will appear and what will be said. That appears in the first full paragraph on page 2 of the report which says, in effect:

> The Federal Communications Commission shall require broadcasting stations and networks to make such reports * * * on the effect of this legislation on the 1964 presidential and vice-presidential campaigns.

The broadcasters, Mr. Stanton, Mr. Sarnoff, and Mr. Moore, will make a report to the Congress or to the Federal Communications Commission on the effect of this legislation. Are they the ones also to adjudge what the effect of the legislation will be? That is a purview of the Congress of the United States, but here we are telling them, "You fellows decide who is going to have what time and who is to address the American people, and you make your report to the Congress and the Federal Communications Commission of what the effect has been." You can well imagine what the broadcasters and persons who have a monetary interest in this are going to report to the Federal Communications Commission and the Congress.

I say this is a bad bill and should be defeated.

The CHAIRMAN. All time has expired.

The Clerk read as follows:

> SEC. 2. The Federal Communications Commission shall require broadcast stations and networks to make such reports as may be necessary to enable the Commission to make a detailed report to the Congress not later than May 1, 1965, on: (1) The effect of the suspension of the equal opportunities requirement of section 315 on the 1964 presidential and vice presidential campaigns, including information concerning requests for time, amount of time made available (including amount of free time, time paid for by candidates or political organizations, and time paid for by others), total charges, rates, editorializing, distribution of time during various phases of the campaigns, and clearance by individual stations of network program concerning the candidates or the issues, and (2) the role of broadcast stations and networks in other political campaigns during 1964.

Mr. KORNEGAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the bill and wish to bring one matter to the attention of the House. Under the minority views I have been quoted by

my good friends and colleagues who represent the minority on this particular resolution. For their quotes, I am, of course, very grateful, but at the same time I would like to make it abundantly clear that I am in support of this resolution, and I urge its adoption by the House. The quote which has been credited to me appears on page 5 of the Committee report and it says:

It boils down to the question of who is going to determine what the issues in a campaign are. Are the candidates going to do it or are the television and radio stations going to do it?

The statement was made by me during a colloquy with Gov. Leroy Collins and after which Governor Collins had advocated the complete repeal of section 315. It was the view of the committee that section 315 should certainly not be repealed, but I say to the House that this resolution merely exempts it in one particular instance—in the case of presidential and vice presidential elections for 1964. Whether or not the networks will be fair is a question that seems to have been raised here today. Let me simply say this: And I quote from Governor Collins, who, of course, represents the broadcasting industry but certainly is a man of great honor and integrity, when he said:

He is bound under the law without section 315 to operate in the public interest and to be fair in the presentation of his whole programing schedule.

What are the reasons for the adoption of this resolution? Why does it make good sense on this occasion to suspend the operation of section 315 in the case of the presidential and vice-presidential race? There is tremendous concern throughout this country, and I am sure that concern is extended to both the Republican and Democratic Parties, over the expense of putting on presidential campaigns. As has been pointed out in the debate today, if we pass this resolution it will mean a saving of approximately $2 million to the major political parties of this country, money that can well be spent by those parties in other areas and for other purposes.

And as our chairman has so ably pointed out it is a question of whether or not the major candidates will be put on the air. When there are a number of minor candidates, with the equal-time provision in effect, the networks are extremely reluctant to extend time to any of them, due to the constant harassment to which they would be subjected. So if we are to get the major candidates before the country as is so necessary in this day and time certainly this is the way to do it.

I urge that this resolution be adopted.

Mr. HARSHA. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I would like to take this opportunity to inquire something of the distinguished chairman of the committee. As I understand, the resolution provides only for the Offices of President and Vice President. Yet in paragraph 2 of section 2 you have the language "the role of broadcast stations and networks in other political campaigns during 1964."

What is the purpose of that if this is to apply only to the Office of President and Vice President?

Mr. HARRIS. The first section of the resolution is applicable to the purposes that brought this resolution to the attention of the committee and the House. The second section is to meet some of the appropriate criticism that we have experienced in campaigns with reference to the requirements of stations to file with the Federal Communications Commission reports of political broadcasts by that station. This was brought on principally by the activity of the committee in the other body, which was a continuing committee, to look into these matters during the recent campaign, and the difficulties that they had in the immediate campaign with reference to reports being filed with the Federal Communications Commission. So the purpose of this is to require the stations to file with the Federal Communications Commission these reports in connection with all of their political broadcasts. An effort was made by the FCC to get this information and it has finally got it.

Just a few days ago a voluminous report was filed with the Congress showing just how these facilities were used all over the country in connection with political broadcasts in 1962.

Mr. HARSHA. I thank the gentleman.

Mr. RUMSFELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I should like to clear up one question with the chairman of the committee, if I may. I have listened to the debate with a great deal of interest. I have frequently heard the phrase "legally qualified candidates" being used by almost every speaker. It is still not clear in my mind what a "legally qualified candidate" might be. One speaker indicated that that would be determined by State law. Another indicated the Federal Communications Commission or the major communication networks would decide. Reference was also made to the fairness doctrine. Can the gentleman clear this up for my benefit?

Mr. HARRIS. The gentleman is quite familiar with the selection of candidates by the national parties. There have been conventions or other methods of selecting candidates of minority parties in the past. The networks, of course, take cognizance of this fact. If there is any party with a candidate with substantial support, they endeavor under the fairness rule to give some attention to him. As was stated a moment ago, under the laws of the State of New York there was a minority candidate for President and as I understand time was made available. Insofar as the application to the Nation is concerned, where we do not have any Federal law as such on it, the Federal Communications Commission has in its rules and regulations definitions of a legally qualified candidate. It is the definition of the Federal Communications Commission that is followed. Certainly it is not left up to the networks altogether to decide.

Mr. RUMSFELD. I thank the gentleman.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. DENTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the joint resolution (H.J. Res. 247) to suspend for the 1964 campaign the equal-opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the Offices of President and Vice President, pursuant to House Resolution 402, he reported the joint resolution back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

Mr. BENNETT of Michigan. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the joint resolution?

Mr. BENNETT of Michigan. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BENNETT of Michigan moves to recommit House Joint Resolution 247 to the House Committee on Interstate and Foreign Commerce.

Mr. HARRIS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. GROSS), there were—ayes 46, noes 97.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BENNETT of Michigan. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make a point of order that a quorum is not present.

The SPEAKER. The gentleman from Michigan objects to the vote on the ground that a quorum is not present. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 263, nays 126, answered "present" 1, not voting 42, as follows:

[Roll No. 85]

YEAS—263

Addabbo	Green, Oreg.	Olsen, Mont.
Albert	Green, Pa.	O'Neill
Anderson	Griffin	Osmers
Arends	Griffiths	Ostertag
Ashley	Gubser	Passman
Aspinall	Hagen, Calif.	Patman
Auchincloss	Halleck	Patten
Avery	Hanna	Pelly
Baker	Hansen	Pepper
Baring	Harding	Perkins
Bass	Hardy	Philbin
Bates	Harris	Pilcher
Battin	Harrison	Pirnie
Becker	Harsha	Poage
Beckworth	Harvey, Ind.	Poff
Belcher	Harvey, Mich.	Pool
Bennett, Fla.	Healey	Price
Berry	Hechler	Pucinski
Blatnik	Hemphill	Purcell
Boland	Holifield	Randall
Bolling	Holland	Reid, N.Y.
Bonner	Horan	Reifel
Brademas	Horton	Rhodes, Ariz.
Bray	Hull	Rhodes, Pa.
Brooks	Hutchinson	Riehlman
Broomfield	Ichord	Rivers, Alaska
Brotzman	Jarman	Roberts, Tex.
Broyhill, N.C.	Jennings	Robison
Broyhill, Va.	Jensen	Rodino
Burke	Johnson, Calif.	Rogers, Colo.
Burkhalter	Johnson, Wis.	Rogers, Fla.
Burleson	Jonas	Rogers, Tex.
Byrne, Pa.	Jones, Ala.	Rooney
Byrnes, Wis.	Jones, Mo.	Rostenkowski
Cahill	Karsten	Roush
Cameron	Karth	Ryan, Mich.
Cannon	Keith	St Germain
Casey	Kelly	Saylor
Cederberg	Kilgore	Schneebeli
Chamberlain	King, Calif.	Schweiker
Chelf	Kirwan	Secrest
Chenoweth	Kluczynski	Shipley
Clark	Knox	Shriver
Conte	Kornegay	Sibal
Cooley	Laird	Sickles
Corbett	Landrum	Slack
Cramer	Lankford	Smith, Iowa
Cunningham	Leggett	Smith, Va.
Daddario	Lesinski	Springer
Daniels	Libonati	Staebler
Davis, Ga.	Lloyd	Stafford
Delaney	Long, La.	Staggers
Denton	McClory	Steed
Derwinski	McDade	Stephens
Dingell	McDowell	Stinson
Dole	McFall	Stratton
Donohue	McIntire	Stubblefield
Dorn	McLoskey	Sullivan
Downing	Macdonald	Taylor
Dulski	Madden	Teague, Calif.
Edmondson	Mahon	Teague, Tex.
Elliott	Mailliard	Thomas
Everett	Marsh	Thompson, La.
Evins	Martin, Mass.	Thompson, N.J.
Fallon	Mathias	Thompson, Tex.
Fascell	Matthews	Thornberry
Feighan	Michel	Toll
Fisher	Miller, Calif.	Udall
Flood	Milliken	Ullman
Fogarty	Mills	Van Deerlin
Ford	Minish	Vanik
Fountain	Minshall	Vinson
Frelinghuysen	Monagan	Wallhauser
Friedel	Montoya	Watts
Fulton, Pa.	Moore	Weltner
Fulton, Tenn.	Moorhead	Westland
Fuqua	Morgan	Whalley
Gallagher	Morris	White
Garmatz	Morrison	Whitener
Gary	Morton	Wickersham
Gavin	Multer	Widnall
Giaimo	Murphy, Ill.	Willis
Gibbons	Murphy, N.Y.	Wilson, Bob
Glenn	Natcher	Wilson, Charles H.
Gonzalez	Nedzi	Wright
Goodell	Nix	Young
Grabowski	O'Brien, N.Y.	Zablocki
Gray	O'Hara, Mich.	

NAYS—126

Abbitt	Ashmore	Bolton, Frances P.
Abele	Baldwin	Bolton, Oliver P.
Abernethy	Barry	Bow
Adair	Beermann	Brock
Alger	Bell	Bromwell
Andrews	Bennett, Mich.	Brown, Calif.
Ashbrook	Betts	Bruce
		Burton
		Celler
		Clancy
		Clausen
		Cleveland
		Cohelan
		Collier
		Curtin
		Dague
		Dent
		Derounian
		Devine
		Dowdy
		Duncan
		Dwyer
		Edwards
		Farbstein
		Findley
		Fino
		Flynt
		Foreman
		Fraser
		Gathings
		Gilbert
		Gill
		Goodling
		Grant
		Gross
		Grover
		Gurney
		Hagan, Ga.
		Haley
		Halpern
		Hawkins
		Hays
		Herlong
		Hoeven
		Hoffman
		Huddleston
		Joelson
		Johansen
		Kastenmeier
		King, N.Y.
		Kunkel
		Kyl
		Langen
		Latta
		Lennon
		Lindsay
		Lipscomb
		Long, Md.
		McCulloch
		Martin, Calif.
		Martin, Nebr.
		Matsunaga
		Morse
		Mosher
		Murray
		Nelsen
		Nygaard
		O'Hara, Ill.
		O'Konski
		Olson, Minn.
		Pike
		Pillion
		Powell
		Quie
		Quillen
		Reid, Ill.
		Rich
		Rivers, S.C.
		Roberts, Ala.
		Rosenthal
		Roudebush
		Roybal
		Rumsfeld
		Ryan, N.Y.
		St. George
		Schadeberg
		Schenck
		Schwengel
		Selden
		Senner
		Short
		Siler
		Skubitz
		Smith, Calif.
		Snyder
		Talcott
		Thomson, Wis.
		Tollefson
		Tuck
		Tuten
		Utt
		Van Pelt
		Waggonner
		Watson
		Wharton
		Whitten
		Williams
		Wilson, Ind.
		Winstead
		Wydler
		Wyman
		Younger

ANSWERED "PRESENT"—1

Taft

NOT VOTING—42

Ayres	Forrester	Norblad
Barrett	Hall	O'Brien, Ill.
Boggs	Hébert	Rains
Brown, Ohio	Henderson	Reuss
Buckley	Hosmer	Roosevelt
Carey	Kee	St. Onge
Colmer	Keogh	Scott
Corman	Kilburn	Shelley
Curtis	McMillan	Sheppard
Davis, Tenn.	MacGregor	Sikes
Dawson	May	Sisk
Diggs	Meader	Trimble
Ellsworth	Miller, N.Y.	Tupper
Finnegan	Moss	Weaver

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Ayres.
Mr. St. Onge with Mr. Ellsworth.
Mr. Sheppard with Mr. Miller of New York.
Mr. Shelley with Mr. Kilburn.
Mr. Barrett with Mr. Norblad.
Mr. Keogh with Mr. Hosmer.
Mr. Buckley with Mr. MacGregor.
Mr. Colmer with Mr. Brown of Ohio.
Mr. Moss with Mr. Weaver.
Mr. Henderson with Mrs. May.
Mr. Davis of Tennessee with Mr. Hall.
Mr. Boggs with Mr. Meader.
Mr. Carey with Mr. Curtis.
Mr. O'Brien of Illinois with Mr. Tupper.
Mr. Corman with Mr. Diggs.
Mr. Roosevelt with Mr. Reuss.
Mr. Sikes with Mrs. Kee.
Mr. Sisk with Mr. Dawson.
Mr. Forrester with Mr. Finnegan.
Mr. Rains with Mr. Scott.
Mr. Trimble with Mr. McMillan.

Mr. POOL changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended to read: "Joint resolution to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for legally qualified candidates for the offices of President and Vice President."

A motion to reconsider was laid on the table.

CONSTRUCTION OF VETERANS' ADMINISTRATION HOSPITALS

Mr. TEAGUE of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4347) to limit the authority of the Veterans' Administration and the Bureau of the Budget with respect to new construction or alteration of veterans' hospitals.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4347, with Mr. STAGGERS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. TEAGUE of Texas. Mr. Chairman, the Department of Medicine and Surgery has 168 hospitals and 17 domiciliaries. As of April 30, 1963, there were 109,791 patients in the Veterans' Administration medical system and approximately 17,000 members in the domiciliaries. I agree with the observation in the Administrator's report on the introduced bill that "effective discharge of this responsibility obviously requires an orderly system of long-range planning to achieve the best and most equitable results." This bill will facilitate the orderly system of planning advocated by the Administrator.

The Committee on Veterans' Affairs is charged under the Legislative Reorganization Act of 1946 with legislative oversight over these activities, and believes that the effective discharge of this responsibility obviously requires that the Committee be advised, in advance, and consulted with, in advance, with respect to the carrying out of the long-range construction program, and other programs, designed to provide medical care and treatment for veterans.

Under existing law, whenever the Veterans' Administration desires to build a new hospital, it submits appropriate plans and specifications to the Bureau of the Budget and after approval by the Bureau of the Budget, the proposal is then submitted to the President. If and when the President gives his concurrence, funds are requested in the next budget for the specific project and if voted as a part of the Independent Offices Appropriation Act, then the hospital is built in accordance with the plans previously agreed upon by the Veterans' Administration and the Bureau of the Budget.

The bill seeks to provide a new control over the renovation, modernization, and construction activities of the Veterans Administration similar to that provided in the Public Buildings Act of 1959. Thus, this bill as reported to the House would prohibit any new hospital construction or acquisition of medical facilities involving an expenditure in excess of $100,000 unless the Administrator of Veterans' Affairs has submitted to the Committee on Veterans' Affairs a

prospectus of this project and the project is thereafter approved by a resolution of the Committee. Said prospectus will include a description of the facilities to be constructed or acquired, the location thereof, and an estimate of the maximum cost. The same requirement would be added with respect to the alteration of existing medical facilities where the cost would exceed $200,000. This latter requirement would apply only with respect to projects which require appropriations to be made after the enactment of this legislation.

The bill recognizes that there may be cost increases over those set out in the original prospectus submitted by the Administrator, and, therefore, authorizes an increase in the maximum authorized cost of any project after approval by the committee, up to 10 percent of the estimated maximum. If the increased costs will exceed this 10-percent limitation, the Administrator must submit another prospectus with respect to the project and obtain approval by the committee before funds may thereafter be appropriated for the project.

It is also provided that if appropriations are not made for any approved project within 1 year after the date of approval, the committee may rescind its approval of the project at any time before appropriations are made for the project, and thereafter no funds may be appropriated for the project.

Basically, this proposal is an authorization bill with which this House is thoroughly familiar.

No additional cost will result from the enactment of this legislation and perhaps some savings may be anticipated.

The bill was reported unanimously by the committee.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Florida.

Mr. MATTHEWS. I want to express my appreciation to the gentleman and to the Committee on Veterans' Affairs and the Administrator, Mr. Gleason, on the progress we are making on the veterans' hospital in Gainesville, Fla. Will the gentleman tell me if this bill will have any adverse effect on the appropriations already made for this hospital?

Mr. TEAGUE of Texas. There are a number of hospitals around the country in the same position as that at Gainesville, Fla.; $802,000 is included in the appropriations for the 1963 fiscal year, and $8,793,000 is in the budget for the fiscal year 1964 for this hospital. It is not the intent of the committee or of this bill to affect any hospital in a retroactive way.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Iowa.

Mr. GROSS. Will the gentleman state for the edification of the members of the committee what necessitates this legislative action?

Mr. TEAGUE of Texas. I would say that across the country we have a number of hospitals that have been built in places that were not to the best advantage of the veterans population. This bill is designed to make both the executive and legislative branches of the Government take a more careful look at the building and location of the hospitals. You might say it will more nearly make our Government a government of laws instead of men.

Mr. GROSS. Is the gentleman saying that the Veterans' Administration has been selecting the sites and carrying on the building expansion, the renovation, and so forth, without the knowledge of the Committees on Veterans' Affairs of this House and the other body?

Mr. TEAGUE of Texas. Within the past year the Veterans' Administration made a survey in the State of Texas. The Veterans' Administration then recommended to the Bureau of the Budget that a new hospital be built in Texas. The Committee on Veterans' Affairs were not permitted to see that survey. We did not know one thing about it until it was announced in the newspapers.

Mr. GROSS. So what you are saying is that this is necessitated by the fact that the committee has not been informed, that is, the legislative committee has not been informed as to what the Veterans' Administration is doing? Is that correct?

Mr. TEAGUE of Texas. That is correct. For a number of years we have felt that we were not kept adequately informed as far as new hospital construction, location, and modernization is concerned.

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I am glad to yield to the gentleman.

Mr. FISHER. First, I want to commend the gentleman and his committee for bringing this legislation to the House. I think there are very good and sound reasons for it. I asked the distinguished chairman of the Committee on Veterans' Affairs if there are precedents for this type of precedure, that is, to require governmental agencies to get clearance with congressional committees before making expenditures of various types.

Mr. TEAGUE of Texas. There are any number of precedents. The bill is based primarily on the Public Buildings Act of 1959. There are any number of precedents, which involve the Defense Department, Civil and Defense Mobilization, Atomic Energy Commission, Department of the Air Force, NASA, Bureau of Indian Affairs, Department of the Interior, National Parks Service, and Department of Agriculture. Among the committees involved are Armed Services, Interior, Agriculture, Public Works, and Science and Astronautics. There are any number of precedents for this type of legislation.

Mr. FISHER. In other words, there is a general policy which runs all through this with reference to various agencies of the Government at this time, that plans for outlays of money for various types of expenditures be cleared through the congressional committees and through the Congress before the agencies are permitted to proceed.

Mr. TEAGUE of Texas. That is correct.

Mr. FISHER. I do know in the case of the Committee on Armed Services, of which I am a member, every construction and every outlay of money is first cleared through the committee even though it has been previously authorized by the Congress. That gives the Congress a chance to maintain control and supervision over the general outlays and programs that are engaged in through expenditures of money appropriated by the Congress.

Again, Mr. Chairman, I want to commend the committee for reporting this bill to the Congress.

Mr. HECHLER. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I am glad to yield to the gentleman.

Mr. HECHLER. Mr. Chairman, I notice on page 4 of the committee report in the letter by the Deputy Administrator of the Veterans' Administration some language that disturbs me a little, and I would like to get the opinion of the chairman of the Committee on Veterans' Affairs with reference to this language. The Deputy Administrator of the Veterans' Administration writes:

> I am fearful that enactment of the proposed measure would completely disrupt the orderly system of administrative planning which, we believe, has proven effective over a period of many years. One of the most difficult problems in any construction program is that of meeting schedules and commitments. The period of deferment of action required by the bill could interrupt timely implementation of systematic planning by a period of several months.
>
> As an even more serious consequence, the veto authority invested in the committee would create uncertainty and could nullify decisions reached after months of intensive study, review, and final consideration at the highest level of the executive branch. Exercise of this authority would appear, also, to impinge upon determinations of the whole Congress based upon fund authorizations recommended by the Appropriations Committees.

The first question I would like to ask the able gentleman from Texas is: Does the gentleman believe that this provides a veto authority to the Committee on Veterans' Affairs in the sense that this letter indicates?

Mr. TEAGUE of Texas. It gives the Committee on Veterans' Affairs an authorizing authority.

Mr. HECHLER. If the distinguished gentleman will yield further, I wonder if the gentleman would care to comment on some of the other observations which are contained in the letter?

Mr. TEAGUE of Texas. I shall be glad to comment. If there is anything that goes on in a slow, methodical manner, it is the construction of veterans hospitals. I say it will have much less effect here than with the construction programs of the NASA, the Atomic Energy Commission, and the Department of Defense. I do not expect this bill, when enacted, to result in any unreasonable delay.

Mr. HECHLER. If the gentleman will yield for one further question, I want to ask this: Has the President taken a position, or the Bureau of the Budget taken a position on this legislation?

Mr. TEAGUE of Texas. Well, I understand they are against it, judging from the contents of the letter from which the gentleman from West Virginia has just read. I suppose that represents the position of the Bureau of the Budget and, therefore, the President. The letter speaks for itself.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I am glad to yield to the gentleman from North Carolina.

Mr. WHITENER. The gentleman from West Virginia has referred to this paragraph of the letter that refers to the "orderly system of administrative planning." I wondered if the Oteen, N.C., veterans' hospital is a good example of this "orderly system of administrative planning" that is referred to?

Mr. TEAGUE of Texas. Well, the gentleman from North Carolina himself can answer that question better than I.

Mr. WHITENER. If the gentleman will yield further, I am sure the members of the Veterans' Affairs Committee know that with each change of season there is a change of plans, and all of them seem to cut away on the veteran more than the one which they had before.

Mr. TEAGUE of Texas. The Committee on Veterans' Affairs under the Legislative Reorganization Act is charged with legislative oversight. The truth of the matter is that we have not been doing the job we should have. This is not something which we have started in the last few months, but it is something which our committee has been considering for a number of years.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I am glad to yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I would like to say to the chairman of the full committee, the gentleman from Texas [Mr. TEAGUE], and the gentleman from West Virginia [Mr. HECHLER], that the finest example I can give to them of the need for this legislation has occurred as a result of the action of the Veterans' Affairs Committee in concert with the Bureau of the Budget and the Appropriations Committee. Several years ago, a long-range plan for the construction needs of the Veterans' Administration hospital system was developed. It called for $900 million over a 12-year period for the construction and rehabilitation and betterment of Veterans' Administration hospitals.

Although this plan had been approved by every agency and department of Government involved, the Veterans' Administration recently initiated changes in their long-range plans without any advance consultation with the Veterans' Affairs Committee. Certainly this is not in the interest of good planning. While the Veterans' Administration in its report indicated that enactment of the proposed measure would disrupt the orderly system of administrative planning, I believe the proposed legislation will have the opposite effect and will insure the orderly system of administrative planning.

Mr. EDMONDSON. Mr. Chairman, will the gentleman, the chairman of the full committee, yield to me at this point?

Mr. TEAGUE of Texas. I yield to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. I thank the chairman, and I want to be certain of my understanding of a statement which the gentleman made a moment ago to the effect that this bill was not intended to have any retroactive effect, and that it was not intended to affect in any way either hospitals already constructed and in operation or improvement programs now underway and under construction of the hospitals already in existence.

Mr. TEAGUE of Texas. That is correct.

Mr. EDMONDSON. I thank the gentleman.

Mr. ADAIR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 4347. This legislation is long overdue. It will require the Veterans' Administration to submit plans for major hospital construction to the Committee on Veterans' Affairs for approval.

At the present time, when the Veterans' Administration wishes to build a hospital, plans and specifications are first approved by the Bureau of the Budget and then by the President. Funds are then requested in the next budget request submitted to Congress. The role of Congress in this process is limited to voting the construction funds contained in the Independent Offices Appropriation Act.

The legislation being considered makes it mandatory that an arm of this legislative body, the Committee on Veterans' Affairs, be notified in advance and consulted about changes to be made in plans for construction of new hospitals and for modernization and improvements of existing hospitals in the Veterans' Administration system.

Mr. Chairman, there are 168 hospitals and 17 domiciliaries in the Veterans' Administration system. Millions of dollars are appropriated each year to keep this physical plant modern. It seems reasonable that the Congress should exercise some measure of control over an undertaking of this size.

The bill under discussion will vest in the Committee on Veterans' Affairs authority similar to that vested in the Committee on Public Works with respect to the construction of public buildings.

An analysis of this matter, Mr. Chairman, reveals that the Congress in many instances has reserved some measure of control over activities of the executive branch of the Federal Government. Title 40 of the United States Code, for example, prohibits an appropriation for the construction of any public buildings involving an expenditure in excess of $100,000 unless the project has been approved by the Public Works Committees of the Senate and House of Representatives.

The law requires that concession leases or contracts in national parks be reported by the Secretary of the Interior to the Congress 60 days prior to the award.

The Committees on Armed Services of the Senate and House maintain some measure of control over real property transactions entered into by the Office of Civil and Defense Mobilization, by the Department of Defense and the military department.

The Department of Agriculture; Department of the Interior, National Aeronautics and Space Administration, and the Atomic Energy Commission, all are subject to congressional control or prior approval of many of their transactions.

I am convinced, Mr. Chairman, that a program of the magnitude of the Veterans' Administration hospital system deserves and requires continuing cooperation and consultation between those agencies of Congress and the executive branch responsible for veterans' affairs. H.R. 4347 makes such consultation mandatory. I urge its support.

Mr. Chairman, I yield 5 minutes now to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, I want to commend the chairman of the Committee on Veterans' Affairs and my good colleague, the gentleman from Indiana [Mr. ADAIR], for the handling of this piece of legislation.

However, I want to correct an inference which I am afraid some people may have drawn from certain of the debates on this bill. An expenditure in excess of $200,000 for rehabilitation of any existing hospital will require the approval of the Committee on Veterans' Affairs. To this extent, therefore, the bill does affect existing and already approved hospitals. With this understanding, everything else that has been said about this bill is correct. At the proper time, I will ask unanimous consent to include some excerpts from other legislation showing the manner in which other standing committees of the House exercise varying degrees of control over construction and other activities of agencies in the executive branch.

Mr. Chairman, the following citations from various laws will illustrate the manner and extent to which activities of the executive branch are subject to the scrutiny and control of Congress and its committees.

ATOMIC ENERGY COMMISSION

ATOMIC ENERGY ACT OF 1954

SEC. 51. SPECIAL NUCLEAR MATERIAL.—The Commission may determine from time to time that other material is special nuclear material in addition to that specified in the definition as special nuclear material. Before making any such determination, the Commission must find that such material is capable of releasing substantial quantities of atomic energy and must find that the determination that such material is special nuclear material is in the interest of the common defense and security, and the President must have expressly assented in writing to the determination. The Commission's determination, together with the assent of the President, shall be submitted to the Joint Committee and a period of thirty days shall elapse while Congress is in session (in computing such thirty days, there shall be excluded the days on which either House is not in session because of an adjournment for more than three days) before the determination of the Commission may become effective: *Provided, however,* That

the Joint Committee, after having received such determination, may by resolution in writing, waive the conditions of or all or any portion of such thirty-day period.

* * * * *

SEC. 58. REVIEW.—Before the Commission establishes any fair price or guaranteed fair price period in accordance with the provisions of section 56, or establishes any criteria for the waiver of any charge for the use of special nuclear material licensed or distributed under section 53 the proposed fair price, guaranteed fair price period, or criteria for the waiver of such charge shall be submitted to the Joint Committee, and a period of forty-five days shall elapse while Congress is in session (in computing such forty-five days there shall be excluded the days in which either House is not in session because of adjournment for more than three days): *Provided, however,* That the Joint Committee, after having received the proposed fair price, guaranteed fair price period, or criteria for the waiver of such charge, may by resolution waive the conditions of or all or any portion of such forty-five day period.

* * * * *

SEC. 61. SOURCE MATERIAL.—The Commission may determine from time to time that other material is source material in addition to those specified in the definition of source material. Before making such determination, the Commission must find that such material is essential to the production of special nuclear material and must find that the determination that such material is source material is in the interest of the common defense and security, and the President must have expressly assented in writing to the determination. The Commission's determination, together with the assent of the President, shall be submitted to the Joint Committee and a period of thirty days shall elapse while Congress is in session (in computing such thirty days, there shall be excluded the days on which either House is not in session because of an adjournment of more than three days) before the determination of the Commission may become effective: *Provided, however,* That the Joint Committee, after having received such determination, may by resolution in writing waive the conditions of or all or any portion of such thirty-day period.

* * * * *

SEC. 123. COOPERATION WITH OTHER NATIONS.—No cooperation with any nation or regional defense organization pursuant to sections 54, 57, 64, 82, 103, 104, or 144 shall be undertaken until—

a. the Commission or, in the case of those agreements for cooperation arranged pursuant to subsection 144b., the Department of Defense has submitted to the President the proposed agreement for cooperation, together with its recommendation thereon, which proposed agreement shall include (1) the terms, conditions, duration, nature, and scope of the cooperation; (2) a guaranty by the cooperating party that security safeguards and standards as set forth in the agreement for cooperation will be maintained; (3) a guaranty by the cooperating party that any material to be transferred pursuant to such agreement will not be used for atomic weapons, or for research on or development of atomic weapons, or for any other military purpose; and (4) a guaranty by the cooperating party that any material or any Restricted Data to be transferred pursuant to the agreement for cooperation will not be transferred to unauthorized persons or beyond the jurisdiction of the cooperating party, except as specified in the agreement for cooperation;

b. the President has approved and authorized the execution of the proposed agreement for cooperation, and has made a determination in writing that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security; and

c. the proposed agreement for cooperation, together with the approval and the determination of the President, has been submitted to the Joint Committee and a period of thirty days has elapsed while Congress is in session (in computing such thirty days, there shall be excluded the days on which either House is not in session because of an adjournment of more than three days).

DEPARTMENT OF DEFENSE

(Title 10, United States Code, ch. 3, sec. 125)

§ 125. Functions, powers, and duties: transfer, reassignment, consolidation, or abolition.

(a) Subject to section 401 of title 50, the Secretary of Defense shall take appropriate action (including the transfer, reassignment, consolidation, or abolition of any function, power, or duty) to provide more effective, efficient, and economical administration and operation, and to eliminate duplication, in the Department of Defense. However, except as provided by subsections (b) and (c), a function, power, or duty vested in the Department of Defense, or an officer, official, or agency thereof, by law may not be substantially transferred, reassigned, consolidated, or abolished unless the Secretary reports the details of the proposed transfer, reassignment, consolidation, or abolition to the Committees on Armed Services of the Senate and House of Representatives. The transfer, reassignment, consolidation, or abolition concerned takes effect on the first day after the expiration of the first 30 days that Congress is in continuous session after the Secretary so reports, unless either of those Committees, within that period, reports a resolution recommending that the proposed transfer, reassignment, consolidation, or abolition be rejected by the Senate or the House of Representatives, as the case may be, because it—

(1) proposes to transfer, reassign, consolidate, or abolish a major combatant function, power, or duty assigned to the Army, Navy, Air Force, or Marine Corps by section 3062(b), 5012, 5013, or 8062(c) of this title; and

(2) would, in its judgment, tend to impair the defense of the United States.

If either of those Committees, within that period, reports such a resolution and it is not adopted by the Senate or the House of Representatives, as the case may be, within the first 40 days that Congress is in continuous session after that resolution is so reported, the transfer, reassignment, consolidation, or abolition concerned takes effect on the first day after the expiration of that forty-day period. For the purposes of this subsection, a session may be considered as not continuous only if broken by an adjournment of Congress sine die. However, in computing the period that Congress is in continuous session, days that the Senate or the House of Representatives is not in session because of an adjournment of more than three days to a day certain are not counted.

(b) Notwithstanding subsection (a), if the President determines it to be necessary because of hostilities or an imminent threat of hostilities, any function, power, or duty, including one assigned to the Army, Navy, Air Force, or Marine Corps by section 3062 (b), 5012, 5013, or 8062(c) of this title, may be transferred, reassigned, or consolidated. The transfer, reassignment, or consolidation remains in effect until the President determines that hostilities have terminated or that there is no longer an imminent threat of hostilities, as the case may be.

(c) Notwithstanding subsection (a), the Secretary of Defense may assign or reassign the development and operational use of new weapons or weapons systems to one or more of the military departments or one or more of the armed forces.

(d) In subsection (a)(1), "major combatant function, power, or duty" does not include a supply or service activity common to more than one military department. The Secretary of Defense shall, whenever he determines it will be more effective, economical, or efficient, provide for the performance of such an activity by one agency or such other organizations as he considers appropriate. (Added by Public Law 87-651, title II, section 201, September 7, 1962, 72 Stat. 513.)

DEPARTMENT OF AGRICULTURE

(Title 7, United States Code, ch. 33 (farm tenancy), subch. III (retirement of submarginal land))

SEC. 1011. POWERS OF SECRETARY OF AGRICULTURE.—

* * * * *

(e) to cooperate with Federal, State, territorial, and other public agencies in developing plans for a program of land conservation and land utilization, to assist in carrying out such plans by means of loans to State and local public agencies designated by the State legislature or the Governor, to conduct surveys and investigations relating to conditions and factors affecting, and the methods of accomplishing most effectively the purposes of this title, and to disseminate information concerning these activities. Loans to State and local public agencies shall be made only if such plans have been submitted to, and not disapproved within forty-five days by, the State agency having supervisory responsibility over such plans, or by the Governor if there is no such State agency. No appropriation shall be made for any single loan under this subsection in excess of $250,000 unless such loan has been approved by resolutions adopted by the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives. Loans under this subsection shall be made under contracts which will provide, under such terms and conditions as the Secretary deems appropriate, for the repayment thereof in not more than thirty years, with interest at the average rate, as determined by the Secretary of the Treasury, payable by the Treasury on its marketable public obligations outstanding at the beginning of the fiscal year in which the loan is made, which are neither due nor callable for redemption for fifteen years from date of issue. Repayment of principal and interest on such loans shall begin with five years. (Section 32(e) of the Bankhead-Jones Farm Tenant Act, as amended by Public Law 87-703, section 102(c), September 27, 1962, 76 Stat. 607-608.)

DEPARTMENT OF THE AIR FORCE

(Title 50, United States Code)

The Secretary of the Air Force is authorized in discharging the authority given in the preceding section to make surveys, to acquire lands and rights or other interests pertaining thereto, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise, without regard to section 3648, Revised Statutes, as amended. Prior to the acquisition under the authority of this section of any lands or rights or other interest pertaining thereto, the Secretary of the Air Force shall come into agreement with the Armed Services Committees of the Senate and the House of Representatives with respect to the acquisition of such lands, rights, or other interests. (Chapter 19 (guided missiles), section 502. Acquisition of land. Act of May 11, 1949, sec. 2, 63 Stat. 66)

DEPARTMENT OF THE INTERIOR; BUREAU OF INDIAN AFFAIRS

(Title 25, United States Code)

Except for electric utility systems constructed and operated as a part of an irrigation system, the Secretary of the Interior is authorized to contract under such terms and conditions as he considers to be in the best interest of the Federal Government for the sale, operation, maintenance, repairs, or relocation of Government-owned utilities and utility systems and appurtenances used in the administration of the Bureau of Indian Affairs. The Secretary shall not execute a contract pursuant to this Act until he has submitted to the Committees on Interior and Insular Affairs of the Senate and the House of Representatives a copy of the contract and a statement of his reasons for proposing the contract, and until such materials have lain before the Committees for sixty days (excluding the time during which either House is in recess for more than three days) unless prior thereto the Secretary is notified that neither committee has any objection to the proposed contract. (Chapter 1, section 15. Utility facilities used in administration, Bureau of Indian Affairs. Public Law 87–279, September 22, 1961, 75 Stat. 577.)

DEPARTMENT OF THE INTERIOR; NATIONAL PARK SERVICE

(Title 16, United States Code)

SEC. 17b–1. Reports to Congressional Officers.

The Secretary of the Interior shall on and after July 31, 1953, report in detail all proposed awards of concession leases and contracts involving a gross annual business of $100,000 or more, or of more than five years in duration, including renewals thereof, sixty days before such awards are made, to the President of the Senate and Speaker of the House of Representatives for transmission to the appropriate committees. (July 31, 1953, ch. 298, title I, sec. 1, 67 Stat. 271; July 14, 1956, ch. 598, 70 Stat. 543.)

OFFICE OF CIVIL AND DEFENSE MOBILIZATION

Title 50 appendix, United States Code

SEC. 2285. Real property transactions—Reports to the Armed Services Committees.

(a) The Director of the Office of Civil and Defense Mobilization, or his designee, may not enter into any of the following listed transactions by or for the use of that agency until after the expiration of thirty days from the date upon which a report of the facts concerning the proposed transaction is submitted to the Committees on Armed Services of the Senate and House of Representatives:

(1) An acquisition of fee title to any real property, if the estimated price is more than $50,000.

(2) A lease of any real property to the United States, if the estimated annual rental is more than $50,000.

(3) A lease of real property owned by the United States, if the estimated annual rental is more than $50,000.

(4) A transfer of real property owned by the United States to another Federal agency or another military department, or to a State, if the estimated value is more than $50,000.

(5) A report of excess real property owned by the United States to a disposal agency, if the estimated value is more than $50,000.

If a transaction covered by clause (1) or (2) is part of a project, the report must include a summarization of the general plan for that project, including an estimate of the total cost of the lands to be acquired or leases to be made.

(b) The Director of the Office of Civil and Defense Mobilization shall report quarterly to the Committee on Armed Services of the Senate and the House of Representatives on transactions described in subsection (a) that involve an estimated value of more than $5,000 but not more than $50,000.

(c) This section applies only to real property in the States of the Union, the District of Columbia, and Puerto Rico. It does not apply to real property for river and harbor projects or flood-control projects, or to leases of Government-owned real property for agricultural or grazing purposes.

(d) A statement in an instrument of conveyance, including a lease, that the requirements of this section have been met, or that the conveyance is not subject to this section, is conclusive. (August 10, 1956, c. 1041, sec. 43, 70A Stat. 636, amended June 25, 1959, Public Law 86–70, sec. 37, 73 Stat. 150; June 8, 1960, Public Law 86–500, title V, sec. 512, 74 Stat. 187; July 12, 1960, Public Law 86–624, sec. 38, 74 Stat. 421.)

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

(Public Law 86–45)

SEC. 4. Notwithstanding the provisions of any other law, no appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress. (Public Law 86–45, section 4, June 15, 1959, 73 Stat. 75.)

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(Secs. 3 and 4 of H.R. 5466, 88th Congress)

SEC. 3. Not to exceed 3 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $30,000,000 of the funds appropriated pursuant to subsection 1(b) hereof, shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations until the Administrator or his designee has transmitted to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof, including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest. No such funds may be used for any construction, expansion, or modification if authorization for such construction, expansion, or modification previously has been denied by the Congress.

SEC. 4. The Administrator is hereby authorized to transfer, with the approval of the Bureau of the Budget, funds appropriated pursuant to this Act, to any other agency of the Government whenever the Administrator determines such transfer necessary for the efficient accomplishment of the objectives for which the funds have been appropriated. Not more than $20,000,000 of the funds authorized by this Act may be transferred by the Administrator under this section, and no transfer in excess of $250,000 shall be made under this section unless the Administrator has transmitted to the Committee on Aeronautical and Space Sciences of the Senate and to the Committee on Science and Astronautics of the House of Representatives a written statement concerning the amount and purpose of, and the reason for, such transfer, and (1) each such committee has transmitted to the Administrator written notice to the effect that such committee has no objection to that transfer, or (2) thirty days have passed after the transmittal by the Administrator of such statement to those committees. (H.R. 5466, 88th Congress; the National Aeronautics and Space Administration Authorization Act, 1964.)

(Title 50, United States Code)

The Administrator is authorized, in implementation of the unitary plan, to construct and equip transsonic or supersonic wind tunnels of a size, design and character adequate for the efficient conduct of experimental work in support of long-range fundamental research at educational institutions within the continental United States, to be selected by the Administrator, or to enter into contracts with such institutions to provide for such construction and equipment, at a total cost not to exceed $10,000,000: *Provided*, That the Administrator may, in his discretion, after consultation with the Committees on Armed Services of both Houses of the Congress, vest title to the facilities completed pursuant to this section in such educational institutions under such terms and conditions as may be deemed in the best interests of the United States. (October 27, 1949, ch. 766, title I, sec. 102, 63 Stat. 936; July 29, 1958, Public Law 85–568, title III, sec. 301(d)(2), (3), 72 Stat. 433.)

AUTHORIZATION OF PUBLIC BUILDINGS

(Title 40, United States Code, ch. 12, sec. 606: Approval of proposed projects by Congress)

(a) Limitation of funds; transmission to Congress of prospectus of proposed project.

In order to insure the equitable distribution of public buildings throughout the United States with due regard for the comparative urgency of need for such buildings, except as provided in section 603 of this title, no appropriation shall be made to construct any public building or to acquire any building to be used as a public building involving an expenditure in excess of $100,000, and no appropriation shall be made to alter any public building involving an expenditure in excess of $200,000, if such construction, alteration, or acquisition has not been approved by resolutions adopted by the Committee on Public Works of the Senate and House of Representatives, respectively, and such approval has not been rescinded as provided in subsection (c) of this section. For the purpose of securing consideration of such approval the Administrator shall transmit to Congress a prospectus of the proposed project, including (but not limited to)—

(1) a brief description of the building to be constructed, altered, or acquired under this chapter;

(2) the location of the project, and an estimate of the maximum cost of the project;

(3) a comprehensive plan for providing space for all Government officers and employees in the locality of the proposed project, having due regard for suitable space which may continue to be available in existing Government-owned buildings and in rented buildings;

(4) a statement by the Administrator that suitable space owned by the Government is not available and that suitable rental space is not available at a price commensurate with that to be afforded through the proposed action; and

(5) a statement of rents and other housing costs currently being paid by the Government for Federal agencies to be housed in the building to be constructed, altered, or acquired.

(b) Increase of estimated maximum cost. The estimated maximum cost of any project approved under this section as set forth in any prospectus may be increased by an amount equal to the percentage increase, if any, as determined by the Administrator, in construction, or alteration costs, as the case may be, from the date of transmittal of such prospectus to Congress, but in no event shall the increase authorized by this subsection exceed 10 per centum of such estimated maximum costs.

(c) Rescission of approval for failure to make appropriations for project. In the case of any project approved for construction, alteration, or acquisition by the Committees on Public Works of the Senate and of the House of Representatives, respectively, in accordance with subsection (a) of this section, for which an appropriation has not been made within one year after the date of such approval, either the Committee on Public Works of the Senate or the Committee on Public Works of the House of Representatives, may rescind, by resolution, its approval of such project at any time thereafter before such an appropriation has been made.

(d) Restriction on approval of new projects. The Committee on Public Works of the Senate and of the House of Representatives, respectively, shall not approve any project for construction, alteration, or acquisition under subsection (a) of this section whenever there are thirty or more projects the estimated maximum cost of each of which is in excess of $100,000 which have been approved for more than one year under subsection (a) of this section but for which appropriations have not been made, until there has been a rescission of approval under subsection (c) of this section or appropriations are made which result in their being less than thirty such projects. (Public Law 86–249, par. 7, Sept. 9, 1959, 73 Stat. 480.)

REAL PROPERTY TRANSACTIONS BY DEPARTMENT OF DEFENSE

Title 10, United States Code, section 2662, real property transactions—Reports to the Armed Services Committees

(a) The Secretary of a military department, or his designee, may not enter into any of the following-listed transactions by or for the use of that department until after the expiration of thirty days from the date upon which a report of the facts concerning the proposed transaction is submitted to the Committees on Armed Services of the Senate and House of Representatives:

(1) An acquisition of fee title to any real property, if the estimated price is more than $50,000.

(2) A lease of any real property to the United States, if the estimated annual rental is more than $50,000.

(3) A lease of real property owned by the United States, if the estimated annual rental is more than $50,000.

(4) A transfer of real property owned by the United States to another Federal agency or another military department or to a State, if the estimated value is more than $50,000.

(5) A report of excess real property owned by the United States to a disposal agency, if the estimated value is more than $50,000.

if a transaction covered by clause (1) or (2) is part of a project, the report must include a summarization of the general plan for that project, including an estimate of the total cost of the lands to be acquired or leases to be made.

(b) The Secretary of each military department shall report quarterly to the Committees on Armed Services of the Senate and the House of Representatives on transactions described in subsection (a) that involve an estimated value of more than $5,000 but not more than $50,000.

(c) This section applies only to real property in the United States and Puerto Rico. It does not apply to real property for river and harbor projects or flood control projects, or to leases of Government-owned real property for agricultural or grazing purposes.

(d) A statement in an instrument of conveyance, including a lease, that the requirements, of this section have been met, or that the conveyance is not subject to this section is conclusive. (As amended June 25, 1959, Public Law 86–70, sec. 6(c), 73 Stat. 142; June 8, 1960, Public Law 86–500, title V, sec. 511(1), 74 Stat. 186; July 12, 1960, Public Law 86–624, sec. 4(c), 74 Stat. 411.)

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Ohio.

Mr. BOW. Do I understand, then, under this legislation an authorization bill could be brought to the floor of the House which would authorize an appropriation in a lump-sum amount, then that would be distributed by the Committee on Veterans' Affairs as to where these hospitals shall be built? Will the gentleman explain the procedure on that?

Mr. SAYLOR. No. That is just what we are trying to get away from. There is already the authorization for $75 million each year. What we are trying to do is to make sure that the plans for hospitals that are to be rehabilitated and the new hospitals that will be built are approved first by the Committee on Veterans' Affairs.

Mr. BOW. Do I understand when the Committee on Veterans' Affairs determines where a hospital shall be built or when there shall be alterations under the bill of the amount provided in the bill, they will then come to the House for authorization? The determination is not made by the committee but is actually made on the floor of the House, so far as determination of location is concerned?

Mr. TEAGUE of Texas. No, that is not correct. The Veterans' Administration will make a determination of location, construction, modernization, or repair. Then the Committee on Veterans' Affairs will review that decision if it involves $100,000 for new construction or $200,000 for renovation of existing facilities.

Mr. BOW. In other words, the House Committee on Veterans' Affairs will have sole authority on where the hospitals will be built and where the alterations will be made, and there will not be an opportunity on the floor of the House for other Members to voice their opinion as to where hospitals may go or to vote for or against the location? This puts authority completely within the Committee on Veterans' Affairs?

Mr. TEAGUE of Texas. It puts the authorizing authority strictly with the Committee on Veterans' Affairs, but the whole House will have an opportunity on the appropriations to state their objections and views. Today, only the Committee on Appropriations considers these matters.

Mr. BOW. They would have the first opportunity to vote on the appropriations. But let us assume that on an appropriation bill it should be determined that hospitals should be built elsewhere, there would be no such authority by the Appropriations Committee to do that?

Mr. TEAGUE of Texas. There would not be, and that is true in other laws such as under the Public Building Act of 1959.

Mr. BOW. I do not think there should be. I do not think it is a matter for the Appropriations Committee. Is there ever a time when the House itself makes a determination or is the sole authority going to be with the Committee on Veterans' Affairs?

Mr. TEAGUE of Texas. It will be with the Committee on Veterans' Affairs.

Mr. BOW. I thank the gentleman.

Mr. TEAGUE of Texas. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. BURKHALTER].

Mr. BURKHALTER. Will the gentleman tell me if the representatives of the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, their legislative committees or legislative commissions have taken any action one way or the other on this proposed legislation?

Mr. TEAGUE of Texas. No. This is something that was simply within the jurisdiction of the House Committee on Veterans' Affairs. We did not ask them to testify.

Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Chairman, I rise in opposition to this bill for several reasons, first and foremost, because of the method and manner in which this bill was entertained. As far as I can ascertain, the Veterans' Administration has not had an opportunity to present its case to the committee. If you will notice your copy of the bill, you will see that the committee struck out the original version of the bill which would have altered quite a bit the procedure which, if the House approves the present version of the bill, will be sanctioned by the House. The net effect of this bill, if passed and approved, will be basically unconstitutional, in my opinion.

For one thing, it will give unprecedented veto power to one single committee in the Congress, the Committee on Veterans' Affairs. This committee will have the veto power over the administrative branch of the Government in its study, selection, and choice of sites, or remodeling and reconstruction. It will have the veto power over the appropriation subcommittee of the House. It will have veto power over the President. It will have veto power over every single aspect of study and scrutiny in the selection and fixing of sites for the construction of Veterans' Administration hospitals.

If you will notice, the date of this bill is March 28, when it was approved and passed out. You will notice in the report printed by the committee that there is no actual comment on the version that you are acting on today or being asked to act upon today. The letter

by way of criticism which is printed in the report is a letter from the administrator with reference to the version which he thought would be passed out by the committee but not the present version. If you will read carefully the provisions of the act which you are being asked to approve, you will find that this committee will have an unlimited amount of time in providing the selection of sites or the construction of a hospital. If you will notice the original version, which was struck out here, there was a 90-day limitation. There was a 90-day period in which it was mandatory that this Veterans' Affairs Committee should come in and by resolution disapprove the site selection of the Veterans' Administration, but that limitation has been removed and does not now exist in the present version which this House is being asked to sanction.

Mr. Chairman, I feel that if we were to carefully study this bill and the effect and impact of this legislation, that in your sober judgment and wisdom you will reject this bill. I believe the genesis, the history of this bill, is one that is born out of anger, so to speak, and not because of mature judgment and study as to the actual need for the type of legislation which is actually written in this bill which we are being asked to vote upon today.

Mr. Chairman, I respectfully urge that you not approve this bill in its present form.

Mr. TEAGUE of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, the gentleman who has just spoken says that this bill will not stand a court test. I want to inform my friend that this legislation is based on the Public Buildings Act of 1959. It has already stood a court test. This authority that this committee particularly is asking for is no different than that of any other committee.

You have a similar provision in the Department of Defense, in Civil Defense, in the Atomic Energy Commission, the Department of Agriculture, the Air Force, the National Park Service, the National Aeronautics and Space Administration and the Foreign Buildings Service Act. So this is not unusual authority to give to a committee. It is already well grounded and has passed the test of time here in the House of Representatives and certainly has stood the test of a court case.

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I support this legislation in part, but I am opposed to it in part. What members of the Veterans' Affairs Committee are attempting to do here today is to inflict upon the House the same discrimination that is being practiced upon them by the Veterans' Administration, and they ought not to be allowed to do that. All Members of the House have a vital interest in the hundreds of millions of dollars that have been and will be spent upon veterans hospitals all over the country. For the committee to come here and say, in effect, that it will be the sole arbiter in the matter of authorization I say is wrong.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I will be glad to yield.

Mr. TEAGUE of Texas. If the gentleman will prepare an amendment to give the whole House the same thing, I will be glad to support it.

Mr. GROSS. I do have such an amendment at the Clerk's desk.

Mr. TEAGUE of Texas. If the gentleman will submit it I will support the amendment.

Mr. WILSON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I will be glad to yield.

Mr. WILSON of Indiana. I wonder how this works over in the Senate. Does the Senate have anything to say about it? Shall the House have complete jurisdiction? Does their committee have the same authority?

Mr. GROSS. I will say to the gentleman, the Senate can fight its own battles. I am not primarily interested in that. I am interested in the House of Representatives and all of the Members of the House of Representatives having something to say about these building programs that are going on. This applies to the Public Buildings Act. Except for the members of the Committee on Public Works of the House of Representatives we are being shortchanged insofar as having anything to say, or practically anything to say, about the construction of public buildings. Of course they go to the Committee on Appropriations, but how many Members of the House are members of the Committee on Appropriations, and how any Members of the House are members of the Committee on Public Works? The great majority of the Members are being shortchanged, and I do not propose to stand idly by today and be shortchanged insofar as having something to say about the veterans' hospital building program. I want the House Veterans' Affairs Committee to have primary jurisdiction. This business of delegating authority exclusively to the Veterans' Administration is no good. If it were possible to amend this bill to deal with the Public Buildings Act and the House Committee on Public Works I would certainly do it, but an amendment of that nature would be subject to a point of order because it would not be germane to the bill.

It is high time that Members of the House, and not merely members of two or three committees, asserted the right to know what is going on and have something to say about what is going on with the hundreds of millions of dollars spent on Federal buildings.

I will offer an amendment if I can be recognized for that purpose that will take care of the committee and all of the Members of the House of Representatives.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I will yield to the gentleman.

Mr. HALEY. I will support such an amendment as the gentleman proposes, but I would also like some time along the road somewhere to go back and take this same authority away from these various other departments and committees.

Mr. GROSS. I agree with the gentleman and I am perfectly willing to go all the way on it.

Mr. ROUDEBUSH. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. ROUDEBUSH. Mr. Chairman, is it the purpose of the gentleman by his proposed amendment to make it necessary that this House vote on every remodeling and repair job of $200,000 or every new construction of $100,000 in veterans' hospitals? Because that is what the amendment would do, as I understand it.

Mr. GROSS. Well, why not?

Mr. ROUDEBUSH. I think it would make this House rather busy, if we were to have to consider every repair job or every new construction, in the huge system of veterans hospitals.

Mr. GROSS. We get that in other legislation. We get a military construction bill on the House floor dealing in hundreds of millions of dollars and in detail.

Mr. ROUDEBUSH. That may be true, but these repairs may not be routine. Let us say that a hospital is damaged by a sudden flash flood or by a storm of some kind, making repairs necessary. Then the House would have to go into session and go through all this rigmarole of passing enabling legislation before the Veterans' Administration could act. And recall also, the gentlemen's amendment would likewise imply action by the other body. I cannot concur in the gentleman's suggestion.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield.

Mr. BALDWIN. A few years ago in California one of our major hospitals was seriously damaged by an earthquake. It had to be repaired immediately in order to take care of the need. Personally I do not think we should have this kind of limitation of having the House of Representatives approve a repair job of $100,000. Sometimes we may require fairly rapid action. The committee can take that action. On past experience, the House frequently is not able to do so.

Mr. GROSS. What is insurmountable about that? You can set up a $500,000 or a $1 million contingency fund, if you want to, and these cases can be scrutinized and supervised by the Veterans' Affairs Committee. This could happen to any other Government building.

Mr. BALDWIN. As I recall, in the earthquake I mentioned, the repairs involved exceeded $1 million.

Mr. GROSS. All right; so what?

Mr. BALDWIN. It seems to me that in that case it should be possible to act more rapidly than the House has demonstrated its capability of acting in the past year.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GROSS] has expired.

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I rise in support of the legislation; but also in support of an amendment which I intend to offer at the proper time, if I am given the opportunity to do so, based partly upon the question asked by the gentleman from Florida [Mr. MATTHEWS] and on a similar situation which is known to exist, relating to a hospital in my district. That is where you have "Technical surveys" money already appropriated, and a project already underway. I am speaking of the Bay Pines Veterans' Administration Hospital in my district for which $1.722 million has already been appropriated. But, because construction has not yet started, under the language of this bill, this authorized hospital would have to be reauthorized.

It has been stated here that it is not the intention of the committee to include such projects. However, in reading the bill, I think it would certainly be subject to such a construction, because, as reported out, the bill says:

> No appropriation shall be made to construct any hospitals, domiciliaries, or outpatient dispensary facilities—

And so forth, without the approval under certain conditions of the Veterans' Affairs Committee.

Let me say that I very much favor the Congress having something to say about veterans' hospitals and matters under the jurisdiction of the Veterans' Affairs Committee; just as I did in connection with public works, when we had in 1959 the public works bill before the Congress, relating to the construction of public buildings. The distinguished gentleman from Alabama, Congressman JONES, and myself and members of our committee spent many hours in evolving that legislation. This follows the same procedure. But in that legislation I pointed out there is a definition of "construction." I asked if there was such a definition in this bill and, of course, obviously there is not. In that other legislation, as appears in title 40, section 612, the term "construction" is specifically defined. Of course, this is the definition that I would expect of "construction" that would be given to this legislation, particularly in that the public buildings bill has been cited as a precedent.

That definition is:

> The terms "construct" and "alter" include preliminary planning, studies, surveys, designs, plans, working drawings, specifications, procedures, and other similar actions necessary for the construction or alteration, as the case may be, of a public building.

I think obviously this would be a definition of "construction" in this bill. Therefore it would be my intention to offer an amendment to clarify the situation and make certain that it does not apply to instances where architectural, engineering, and planning surveys money has been appropriated in the past.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am glad to yield to the distinguished Chairman of the committee.

Mr. TEAGUE of Texas. Mr. Chairman, I have read the gentleman's amendment. I do not believe it changes the intent of the bill at all and I am willing to accept the amendment.

Mr. CRAMER. I thank the gentleman very much.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am glad to yield to the distinguished gentleman from Indiana.

Mr. ADAIR. I concur in the statement just made by the Chairman of the committee. I am familiar with the proposed amendment and find no objection to it.

Mr. CRAMER. I thank both the gentlemen very much. It has been suggested by the gentleman from Pennsylvania that some reference be made to the effective date of the act in the amendment. The amendment has been amended accordingly. I think this gives the Congress more to say about veterans' hospitals today than it has had in the past, because it has had little or nothing to say in the matter of authorization or legislatively as it relates to veterans' hospitals through the Veterans' Affairs Committee. It is about time Congress recaptured some of the authority which has been here usurped by or delegated to previously to the executive branch of the Government, in this instance the Veterans' Administration.

I hope the bill passes.

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. ROUDEBUSH].

Mr. ROUDEBUSH. Mr. Chairman, I have asked for this time to ask some questions of the chairman of the committee, the gentleman from Texas [Mr. TEAGUE].

Is it not true that the overall planning of the location of hospitals would still rest with the Veterans' Administration under this legislation, but you would have the right to audit and approve these plans before they were finalized?

Mr. TEAGUE of Texas. That is correct.

Mr. ROUDEBUSH. It is going to give Congress through its Committee on Veterans' Affairs the right to look into these plans of the Veterans' Administration and not be kept in the dark. The Veterans' Administration will have to come to your committee, so that you may find out where these projects are to be constructed or renovated?

Mr. TEAGUE of Texas. That is correct.

Mr. ROUDEBUSH. With that explanation, I think this legislation can serve a worthwhile purpose.

Mr. TEAGUE of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, not being a member of the Committee on Veterans' Affairs I am not aware of their problem but I rather feel I am sympathetic in a way, because in our Committee on Atomic Energy we are in this position from the standpoint of authorization.

Gradually over the years facilities of the atomic energy program have been built. The Joint Committee now finds itself in the position of scrutinizing only 8 percent of the budget. We are going to come in here next week with an approximately $200 million authorization bill. This is in relation to the $2.7 billion budget of the atomic energy program.

In 1946 when the original act was passed and again in 1954 when it was amended the basic act authorized operation, maintenance, research, and development as the basic statutory authorization for the Atomic Energy Committee. Therefore, we in the Joint Committee had no chance to look at their budget and scrutinize it line item by line item except in a narrow area. So, gradually over the years we have found programs started by the Atomic Energy Commission and maybe several tens of millions of dollars in some instances have been spent on a particular project, and then they come to us for a $5 or $10 million facility to further this particular program.

We are faced at that time with a program that has been started and carried on for 2 or 3 years, and we are placed in the position of either denying a vital facility or, if we authorize that vital facility, which may be small moneywise in relation to the entire program, then we commit ourselves not only to the program in the past but maybe a rapidly expanding program in the future.

So the subcommittee on authorization which I chair this year has taken action on this, and we intend to come in with legislation similar to this, although not identical, because we have been thinking about this and working on it for several years. We will come in with an authorization bill which will expand the authority of the Joint Committee on Atomic Energy both in the House and the other body to explore more thoroughly these programs at their inception, so that we can do something about them. We are bringing this year's authorization bill in with an approximate 10-percent reduction over what the Atomic Energy Commission has asked for.

As the result of scrutinizing some of these programs, and in one instance we have refused to go ahead with an appropriation for a facility on a program. We want to look at it more carefully before we go ahead. When we bring the authorization bill to the floor it will be very carefully thought out. It is going to broaden the Joint Committee's authority for authorization. The House will have the opportunity to act upon that authorization. We are not taking unto the committee itself this power to do this without bringing it to the House, and we will bring to the House this bill, I hope, within the next 10 days or 2 weeks. It will, in effect, give our committee and the Congress the chance to look at these tremendous expenditures of tens and hundreds of millions of dollars and the House can work its will upon it and not have it done by administrative action. As I understand it, Mr. Chairman, this is partly the purpose or the main purpose of the Committee on Veterans' Affairs to obtain scrutiny in these areas which they have not been allowed to scrutinize before. The legislation that we hope to

bring to the floor within a week or 10 days will be carefully thought out to guard against that particular point that the gentleman from Iowa raised.

Mr. HECHLER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from West Virginia.

Mr. HECHLER. Mr. Chairman, if the gentleman from California will yield, what really disturbs me about this bill is that it imposes a tremendous administrative burden on the Congress at a time when all Members and committees of Congress are overburdened with detailed work. I am concerned with the assumption of power by Congress which does not in fact belong in this body. I am also disturbed that perhaps we are forcing an advance agreement to be made by an executive department with a congressional committee which, although, constitutional, seems to be giving the power of a detailed veto to a single committee of Congress. I wonder if this power really belongs in Congress rather than in the orderly administration of the executive branch. Would the gentleman from California indicate to me whether he feels that this gets Congress involved in too much detailed work, and the minute administrative details which might more properly be handled elsewhere? I was disturbed by the description that the gentleman from California gave us in light of the tremendous administrative burden which the Members of Congress and their committees already have. When you add additional burdens of a detailed administrative nature on top of that, it would seem to me to be entirely the wrong direction for the Congress to go.

Mr. HOLIFIELD. I do not think the Congress should go into the detail—and I do not know what the gentleman's interpretation of that word is—but I think the executive department does have the right to administer the programs which the Congress legislates. I do not think, however, that tremendous programs should be embarked upon without the consultation of the committee having jurisdiction. I am looking at this in terms of broad authorization and not as to the detailed administrative part which the gentleman seems to be worried about.

Mr. TEAGUE of Texas. Mr. Chairman, I have no further requests for time.

Mr. ADAIR. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5001(a) of title 38, United States Code, is amended by adding at the end thereof the following: "Whenever a report is submitted to the Bureau of the Budget on any plans, surveys, or studies which have been conducted with respect to construction, modernization, renovation, or major repair of any facility under this section, the Administrator shall submit an identical copy thereof to the House Committee on Veterans' Affairs. Before any construction modernization, renovation, or major repair of any facility is actually begun under this section, the Administrator shall submit a report thereon to the House Committee on Veterans' Affairs, and no appropriation may thereafter be made or used for such construction, modernization, renovation, or major repair if before the expiration of the first ninety day period of continuous session of the Congress which ends after the date of the submission of such report there is adopted by the House Committee on Veterans' Affairs a resolution stating in substance that the committee disapproves the use of appropriated funds for such construction, modernization, renovation, or major repair. For the purposes of the previous sentence, continuity of session of the Congress shall be considered as broken only by adjournment sine die."

With the following committee amendment.

Strike out all after the enacting clause and insert:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5001 of title 38, United States Code, is amended by adding at the end thereof the following:

"'(g)(1) No appropriation shall be made to construct any hospitals, domiciliaries, or outpatient dispensary facilities or to acquire any such facilities involving an expenditure in excess of $100,000, and no appropriation shall be made to alter any such facility involving an expenditure in excess of $200,000, if such construction, alteration, or acquisition has not been approved by a resolution adopted by the Committee on Veterans' Affairs of the House of Representatives, and such approval has not been rescinded as provided in paragraph (3) of this subsection. For the purpose of securing consideration of such approval the Administrator shall transmit to Congress such prospectus of the proposed project, including (but not limited to)—

"'(A) a brief description of the facilities to be constructed, altered, or acquired; and

"'(B) the location of the project, and an estimate of the maximum cost of the project.

"'(2) The estimated maximum cost of any project approved under this subsection as set forth in any prospectus may be increased by an amount equal to the percentage increase, if any, as determined by the Administrator, in construction or alteration costs, as the case may be, from the date of transmittal of such prospectus to Congress, but in no event shall the increase authorized by this paragraph exceed 10 per centum of such estimated maximum cost.

"'(3) In the case of any project approved for construction, alteration, or acquisition, by the Committee on Veterans' Affairs in accordance with paragraph (1) of this subsection, for which an appropriation has not been made within one year after the date of such approval, the Committee may rescind, by resolution, its approval of such project at any time thereafter before such an appropriation has been made'."

Mr. TEAGUE of Texas (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with and that the bill be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER to the committee amendment: On page 2, line 19, strike out "No" and insert in lieu thereof the following:

"Except in the case of any project of construction, alteration or acquisition, or any phase thereof, with respect to which any appropriation has been made prior to the effective date of this act no".

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to my colleague.

Mr. TEAGUE of Texas. Mr. Chairman, there is no objection to the gentleman's amendment on this side of the aisle.

Mr. CRAMER. I thank the gentleman.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to my colleague.

Mr. ADAIR. Mr. Chairman, I know of no objection on this side of the aisle to the gentleman's amendment.

Mr. CRAMER. Let me say for the benefit of my colleagues that this amendment does not have any retroactive effect on hospitals on which appropriations have already been made.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

The amendment was agreed to.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS to the committee amendment: On page 2, strike out line 25, and strike out all of page 3, and insert in lieu thereof the following: "not been specifically authorized by law enacted after the date of enactment of this Act."

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. I would like to say to the gentleman that we have each Congress between 500 and 600 bills in the Veterans' Affairs Committee that we examine, and on which we take action. The action of the committee in this particular matter was in the belief that we were being helpful to the House of Representatives and not taking something away from it.

Mr. Chairman, as far as I am personally concerned, I will accept the gentleman's amendment, though I would point out there is ample precedent for the bill as it was reported.

Mr. GROSS. I thank the gentleman from Texas.

Mr. SAYLOR. Mr. Chairman, will gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. SAYLOR. Mr. Chairman, I would like to say to my colleague, the gentleman from Iowa [Mr. GROSS], that as much as I respect him and appreciate his view, I think this is the wrong time to have this amendment adopted. I think it goes entirely too far and will be a burden which the House should not be asked to assume at this time. Therefore, Mr. Chairman, I am opposed to the gentleman's amendment.

Mr. GROSS. The amendment simply provides than any Veterans' Administration construction will have to come to the House of Representatives. This is the procedure for other committees of the House, the notable exception being the Public Works Committee, and as I have previously stated the House ought

to insist upon the right to scrutinize all public works projects.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Florida.

Mr. CRAMER. The gentleman strikes all on page 3.

Mr. GROSS. Yes.

Mr. CRAMER. I wonder if it is the intention of the gentleman, however, that the procedures set out on page 3 for submitting a project through the prospectus method to the committee for action by the committee and subsequently by the Congress be abandoned?

Mr. GROSS. There is no necessity for the language on page 3. It is superfluous, if my amendment is adopted, because all VA projects would have to come to the committee and through the legislative process to the full House.

Mr. CRAMER. Will the gentleman yield further?

Mr. GROSS. Yes.

Mr. CRAMER. That is the very point I wish the gentleman to state, as a matter of record.

Mr. GROSS. Surely.

Mr. CRAMER. I wish for the gentleman to state that as a matter of legislative history—that it is not the intention of the gentleman to strike out the requirements for the submission by the Veterans Administration of a prospectus to the committee.

Mr. GROSS. Not at all.

Mr. CRAMER. But, this is an additional responsibility, and that the Congress itself must act after the committee acts?

Mr. GROSS. There is only one place where the Veterans' Administration can go, and that is where they ought to go, to the Committee on Veterans' Affairs, and that committe should then come to the floor of the House.

Mr. Chairman, on the subject of sudden disaster or calamity, I do not know the law, but I am sure the President's disaster fund would take care of a hospital that was damaged by fire or earthquake or some similar catastrophe.

Mr. CRAMER. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. Yes.

Mr. CRAMER. The reason I ask the question was that the Public Buildings Act specifically sets out the procedure that shall be followed by the Administration in submitting the prospectus and proposed buildings to the Congress. I wanted to make sure that the record showed that even though the bill does not so state now, it is not the intention of the gentleman that the prospectus in the future should not be submitted to the committee, as would otherwise be required under the bill?

Mr. GROSS. Certainly I say again there is only one place the Veterans' Administration should go, and that is to the Committee on Veterans' Affairs of the House of Representatives and its counterpart in the other body.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. Yes; I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I would like to make certain that I fully understand the gentleman's amendment, because under the explanation just given by the gentleman from Florida [Mr. CRAMER] the gentleman is proposing a requirement with regard to the building of any hospital or the modernization or improvement of any hospital that costs over $100,000 that goes beyond the present requirements on public buildings under the Public Buildings Act.

It would actually require statutory enactment and passage by both the House and Senate, and the full body of both the House and Senate, before you could have even a $150,000 repair project on one of these hospitals; is that correct?

Mr. GROSS. I just got through saying I am sure if an emergency arose, anything in the nature of an emergency, the President's Disaster Fund would take care of it. You can also establish in appropriations for the future a contingency fund for that purpose.

Mr. EDMONDSON. Nevertheless, the gentleman is in agreement that he is taking a step beyond what we require in the case of the construction of post offices or other public buildings under present procedure, making it more difficult to make improvements, repairs, and modernization, as well as construction on our veterans hospitals.

Mr. GROSS. The first thing to be considered is that all the Members of Congress ought to have something to say about the hundreds of millions of dollars that are being spent. The committees dealing with veterans legislation ought to know first what is being proposed and why, and have something to say about it. Then the Veterans' Affairs Committee ought to come to all the Members of the House. My amendment provides that they specifically do just that.

Mr. EDMONDSON. I am not in agreement with the gentleman on that. We have that review of the administrative funds and the appropriation funds.

Mr. CRAMER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Iowa.

Mr. Chairman, I take this time for the purpose of hoping to help accomplish perhaps what the gentleman desires to accomplish but without taking away from the bill the beneficial aspects of it. I am concerned that the proposal offered by the gentleman from Iowa will strike out page 3 which contains certain provisions that in my opinion are essential for proper management and administration of the program, including the submission of prospectuses to the committee by the Veterans' Administration, a permission as contained in paragraph 2 for a 10-percent discretionary or latitude in the Veterans' Administration over and above what is authorized in a monetary figure by authorizing legislation. Then the third paragraph that deals with the case of any project approved for construction, alteration, and so forth by the Committee on Veterans' Affairs. In accordance with paragraph 1 of this subsection, for which an appropriation has not been made within 1 year after the date of such approval, and so forth, it is an approval which gives some policing authority and will not leave projects laying on the shelf indefinitely without action. It is the same problem we had in connection with the 1959 act on public buildings. The important proposal will be that on line 1, page 3, after the word "Representatives" add the words "and the Congress," and on line 21, page 3, after the word "Veterans' Affairs" add "and the Congress." That will be so that the Congress will still be in the picture but the procedural aspects of this legislation that are sound will still be in the legislation and the Congress will have to act upon what the Veterans' Affairs Committee does but after the procedure set out for VA is followed, including the filing of prospectuses, the 10-percent discretionary authority, then the 1-year deletion of approval by the committee. So there can be some proper policing or proper review of these different authorizations, and they do not sit on the shelf without appropriation. I think that is one of the most salutary effects of the Public Buildings Act. That is, to have these projects acted upon within a reasonable period of time. If not, the committee can reconsider them in the light of other projects that have been authorized and in the light of available funds, and they do not sit on the shelf forever, which has happened in the case of a number of public works projects.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from California.

Mr. HOLFIELD. Will the gentleman explain what he means by the 10-percent contingency and where he introduced it?

Mr. CRAMER. It is in the present legislation, in paragraph 2, page 3, line 4, which provides there is a 10-percent discretionary amount that can be spent in excess of the actual dollar value of the project authorized. There has to be some discretion, and the 10-percent discretion is the same as contained in the Public Buildings Act.

My substitute, which I have at the desk and will offer at the proper time, will still do as the gentleman from Iowa wishes. I am in favor of that. That was my position on the Public Buildings Act, but we could not get an agreement on it. The minority was in favor of action by the Congress in addition to the committee.

So, I am very much in favor of it, but I think the amendment offered by the gentleman from Iowa goes farther than even he intends.

Mr. GROSS. Mr. Chairman, if the gentleman will yield I am perfectly willing to ask unanimous consent to withdraw my amendment to the bill if the gentleman can assure me that he has an amendment which will bring these authorizations to the House floor. My only object in offering the amendment is that the Members of the House, and all of them, have something to say about this program.

Mr. CRAMER. I am wholeheartedly in agreement with the gentleman, and I have stated what the amendment is; that on page 3, line 1, after "Represent-

atives" we add "and the Congress," and where the Committee on Veterans' Affairs is referred to in the second place, page 3, line 21, add "and the Congress." That retains the procedure but does not destroy the legislation.

Mr. GROSS. Without taking the gentleman off his feet, I should like to ask unanimous consent to withdraw my amendment. I do not want to take the gentleman off his feet, and I realize that in asking unanimous consent, because he arose to speak on my amendment, that it would be taking him off his feet.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

Mr. EDMONDSON. Mr. Chairman, reserving the right to object, does this unanimous consent request have the effect of substituting the amendment of the gentleman from Florida for the amendment offered by the gentleman from Iowa?

The CHAIRMAN. No. The gentleman from Florida can then offer his amendment.

Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER to the committee amendments:

Page 3, line 1, after "Representatives" insert "and the Congress."

Line 21, after "Affairs" add "and the Congress".

Mr. CRAMER. Mr. Chairman, as I have explained, the purpose of this amendment is to require approval of the Congress of any action taken by the Veterans' Affairs Committee and not destroy the proper procedure set out in the legislation.

Mr. OSTERTAG. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New York.

Mr. OSTERTAG. May I say to the gentleman that I concur in his objective in what seems to be the sentiment here today, that the Congress should have the authority to pass on and authorize these various projects of the Veterans' Administration. But, I want to be sure that we are not confused or mixed up as to the expansion of this review by the Congress. When you say "the Congress" I assume that means and includes the other body. So, in one part of the bill it would refer to the Veterans' Affairs Committee of the House of Representatives, which is part and parcel of this body, but no reference is made to the other body, the committee, or the Congress as a whole. So, I assume when you amend this to include "the Congress," it means with the approval of both bodies.

Mr. CRAMER. That is correct, and that was the intent and purpose of the amendment offered by the gentleman from Iowa, that both the Senate and the House have to act. Frankly, I cannot see how the House of Representatives can enact a bill without the Senate acting, and that is the reason I had a few reservations about the proposal; namely, how the House can act on public buildings, Veterans' Administration or otherwise, without concurrence of the other body. I think that is a question which this helps to solve.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Of course, the gentleman knows there is no committee on veterans' affairs in the other body.

Mr. CRAMER. I wholeheartedly agree that there is no veterans' affairs committee in the other body, but at the same time I think there is a very serious constitutional and otherwise question as to whether the House could act in authorizing legislation without concurrence of the Senate, regardless whether there exists one committee in one body and not in the other.

I think this helps to cure that serious legal question which might otherwise be involved, and I ask for the adoption of the amendment.

Mr. BALDWIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it seems to me perhaps we are endeavoring today too much from the standpoint of writing or rewriting this bill on the House floor. I do not believe there will be much opposition by the members of this group to bringing back to the House floor for authorization, the construction of a new Veterans' Administration hospital. In fact, I would be in favor of that provision. However, this amendment would go beyond that and would require any repair to any existing Veterans' Administration hospital, if such repair costs more than $200,000, to come back to this House floor for approval. This is entirely different.

As I mentioned, we have had earthquakes in California which caused serious damage to hospitals and involved repairs in amounts of hundreds of thousands of dollars and running up to as high as $1 million. It is perfectly possible that you could have a fire in a Veterans' Administration hospital and you would be required to move out several hundred patients, and it might be most urgent that you do those repairs almost immediately in order to move those patients back in. The approval of the Veterans' Affairs Committee is something practical because that can be done in a matter of 24 to 48 hours. However, the approval of the House of Representatives is something very different. From past experience we know that just does not work this fast. It seems to me this amendment goes entirely too far under the circumstances.

The committee looked over this bill and came out with a usable compromise and said that the Veterans' Administration shall not act independently but shall come back to their committee and ask for approval of their specific proposals. It seems to me it is a reasonable compromise. The House Public Works Committee, on which I serve, I might say has the authority itself to approve public buildings and, because of the volume of small flood control projects, for example, the House of Representatives and the Senate collectively last year passed a bill authorizing the Corps of Engineers itself to make a decision on flood control projects up to $1 million. If you delegate the authority for a public building or for a flood control project but retain the authority for something as urgent as repairs to a hospital that might be damaged by earthquake or fire, where urgency is far greater than in the case of building a new public building, then it seems to me we are not being realistic about the situation. For that reason, Mr. Chairman, I oppose this amendment.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I find myself in pretty complete agreement with the statement of the gentleman from California just concluded. I had the honor of serving for a while on the Veterans' Affairs Committee of the House and I have the highest regard for the able chairman of that committee and for the membership of that committee.

Personally I find no difficulty in going along with the bill as it was reported out of the committee, but I thoroughly agree with the gentleman from California that when we insert in this bill, as reported by the committee, the further requirement that for any kind of a construction project, and any kind of an improvement or alteration project that involves over $100,000 that you have to bring it to the floor of this House and bring it to the floor of the Senate and get the concurrence of both of those bodies, then you are making a very burdensome thing out of the administration of the plant of the Veterans' Administration. That is a tremendous plant and it is nationwide in scope. It is something that up to this time, I think, has been as free from politics as anything we have in our Government. When you start bringing in to active floor consideration of the House of Representatives and the Senate comparatively minor repair projects and alteration projects in these hospitals you do a disservice to the veterans' program.

I earnestly hope that the amendment offered by the gentleman from Florida will be defeated.

Mr. ROUDEBUSH. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I asked for this time in order that I might ask questions of the gentleman from Florida concerning the purpose and intent of his amendment. I am not quite clear and I suspect that many other Members of this House are not quite clear on it. I would like to ask this of the gentleman from Florida: First, under your amendment would it be necessary whenever an addition, or renovation, or repair of an existing Veterans' Administration hospital is accomplished that prior authority must be granted by both Houses of Congress?

Mr. CRAMER. If in fact for construction purposes the cost is in excess of $100,000 the answer is "Yes." If it relates to alterations and the cost is in excess of $200,000, the answer is "Yes." I will say to the gentleman those are the same figures and the same authorizing

limitations as set out in the Public Buildings Act of 1959 requiring committee approval, but not House and Senate approval.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield.

Mr. EDMONDSON. As a matter of fact, I will say to the gentleman that this is going to require House and Senate approval twice, both in the authorizing procedure and also in the appropriations procedure.

Mr. ROUDEBUSH. I will say to the gentleman from Oklahoma that was my impression. I want to make my feelings perfectly clear for the edification of the body. Certainly I do not want to take any authority away from this floor of Congress and I do not think any other Member does. But I do feel that this amendment could cause possible confusion and delay on repair and renovation of our Veterans' Administration facilities.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield.

Mr. GROSS. Unless you adopt the Cramer amendment, that is exactly what you are going to do, short-circuit again Members of the House of Representatives who are neither on the Appropriations Committee nor on the Veterans' Affairs Committee of the House. That is exactly what you do without it.

Mr. ROUDEBUSH. I do not see the gentleman's point. First, you are going to require two actions by the House and the Senate, appropriating and authorizing for a particular repair job. Why does the gentleman say we would not be delaying a project? I do not understand the gentleman.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield.

Mr. COLLIER. I simply want to say that it appears to me, on listening to the discussion here, that the legislation would improve what has been a bad situation and the amendment will only improve it to death.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The question was taken; and on a division (demanded by Mr. CRAMER) there were—ayes 40, noes 73.

So the amendment was rejected.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. STAGGERS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 4347) to limit the authority of the Veterans' Administration and the Bureau of the Budget with respect to new construction or alteration of veterans' hospitals pursuant to House Resolution 403, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

THE NEED FOR MODERNIZATION OF VANCOUVER VETERANS' HOSPITAL

Mrs. HANSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. HANSEN. Mr. Speaker, in supporting H.R. 4347 today, it is my distinct understanding—and if this is not true, I would appreciate being corrected by the chairman of the committee—that through the passage of this bill, Congress will be enabled to better weigh hospital expenditures in all areas of the United States and take fuller cognizance of the actual bed needs of an area. In my own district in the State of Washington, we have a Veterans' Administration hospital constructed in 1941 for the care of war wounded, a cantonment type of hospital, known as Barnes Veterans Hospital.

This hospital serves not only Southwest Washington but it serves other areas of Washington and Oregon. In my office is a file of correspondence from commanders of service groups throughout our State and from the State of Oregon, urging not only the continuance of the Barnes Hospital for the benefit of our veterans, but urging its reconstruction and the necessary expenditure of funds to modernize it.

Veterans who have used this hospital and who seek to use it, do so for a multiplicity of reasons, but particularly because of its fine staff, its reputation for good will, individual attention, and the one-story type of service, enabling activities denied in high-rise institutions.

The average cost for the care of a patient at Barnes is low, ranking with the lowest among all veterans' hospitals, yet it consistently ranks among the highest in efficiency ratings conducted by the Administrator of Veterans' Hospitals. Total bed capacity is 501, the average daily patient total is 441, and it serves about 3,500 veterans each year. Here I list costs per day in four hospitals in the Northwest:

Cost per day per patient	1961	1962	1963 (estimated)
Vancouver Hospital	$25.00	$27.00	$28.00
Portland Hospital	28.44	29.05	28.61
Seattle Hospital	31.79	32.72	32.08
Spokane Hospital	28.00	29.00	28.00

Yet, in spite of this support by veterans, in spite of its high efficiency, its low cost and the number of veterans served each year, the Veterans' Administration has to date spent not 1 cent on reconstruction or rehabilitation of this hospital.

If this bill will assist in bettering the veterans' hospital situation throughout the United States, then I cannot but wholeheartedly support it.

If it did not meet these needs and did not recognize the necessity of using all types of standards for determining reconstruction and rehabilitation expenditures, I would not support it.

WHY HARASS SECRETARY McNAMARA?

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Speaker, each day there is new evidence of the growing awareness throughout the country of the ill-conceived and deliberate attempts on the part of some to harass and embarrass our extremely able and deeply dedicated Secretary of Defense, Robert S. McNamara.

The thinly veiled campaign against Mr. McNamara is not succeeding. The public appreciates his determination to bring about meaningful unification of our armed services.

As evidence of the growing concern throughout the country, I am including here four articles of editorial comment which have appeared during the past few days in the Nation's press.

The first is an editorial from the Arkansas Gazette of June 5.

The second is a column by Jim G. Lucas, writer for the Scripps-Howard newspapers.

The other two are columns by Rowland Evans and Robert Novak, which appeared in the Washington Post on June 7 and June 19, respectively.

[From the Arkansas Gazette, June 5, 1963]

CAMPAIGN TO GET MCNAMARA UNDERWAY

Representative JIM WRIGHT, the Texas Democrat, has put the suspicion into the very bluntest of words: In a current newsletter to his constituents, Congressman WRIGHT wrote that a certain group in the military—long accustomed to have its own way—is out to get Defense Secretary Robert S. McNamara.

Under our system, the Secretary of Defense must and should be accountable to some kind of second guessing on his weapons procurement decisions, as on other decisions that materially affect the overall defense posture of the country. This is a function which the several committees of jurisdiction in the Congress can be entrusted to perform.

In reality, the trouble is not in the investigations themselves so much as the partisan political use made of their findings at a time when the returns are by no means all in.

An example was last week's broadside attack by Representative H. R. GROSS, of Iowa, one of the loudest congressional champions

of economy in Government. The irony here is that of all the men in the Government at Washington today, Robert McNamara is doing the most acting (as distinct from talking) to effect the kind of economies that possibly alone can assure us a viable future as a nation. The economies the Secretary of Defense is called upon to effect are inherent in the job, for the money saved thereby must go toward providing the ever more expensive weapons of the future. The job thus involves selection of a most sensitive kind, and it is next to impossible to avoid stepping on somebody's toes in the process. We have disagreed with some of Mr. McNamara's weapons decisions in the past, at the risk of being proved wrong by events, and likely will disagree again in the future. But we have never disagreed with the starting proposition that these final decisions are properly his—and his alone.

There are no indispensable men in our governmental scheme of things, but there are some indispensable jobs. And while it is possible that Mr. McNamara's unique blend of dedication and professional skills could be matched somewhere out there in the wilderness, it is by no means certain that "another McNamara" (if, in fact such a creature exists) would willingly have his neck measured in advance for the same guillotine.

THE OTHER MCNAMARA

(By Jim G. Lucas)

When the French and German Defense Ministers were here early this year, Defense Secretary Robert S. McNamara asked them around to his home for breakfast.

Since the McNamaras have no regular cook, Mrs. McNamara fried bacon and eggs, brewed coffee, and toasted buns. Her husband waited table.

This is the "other" McNamara, often obscured by the controversies surrounding the man and his policies. Even his critics say Mr. McNamara is able, that he runs the Pentagon. But they say he lacks heart, is arrogant, not interested in people.

This hurts and alarms his friends. They know him, instead, as a decent fellow, a gracious host, a considerate boss. They are puzzled how such a legend could grow up around a genuinely warm human being.

But they also admit—a bit sadly—it probably is his own fault.

"Bob has none of the instincts of a commander or a politician," says one White House adviser. "He could use both. But you just cannot get him to do something he considers the slightest bit phony. That doesn't come naturally for him."

There is a strong human side to the man. It is revealed, in part, by these stories, gleaned from talks over a period of weeks with his friends.

Story No. 1: A GS–9 ($7,500 a year) worked late into the night, several nights in a row, on a classified report. He was so far down the totem pole he didn't know Mr. McNamara was aware of his existence. Late one evening, Mr. McNamara called the man's wife at home, thanked her "for being so patient with us," remarked that her husband's work "means a lot to this country of ours," and wound up saying, "I know you're proud of such a man."

Story No. 2: Mr. McNamara stopped briefly in a corridor to chat with a senior Air Force officer and noted he looked tired. That evening, the officer got a call from Mr. McNamara at home. The Secretary "ordered" him to take off a week or so and rest up.

Story No. 3: An Assistant Secretary turned down an invitation for a Caribbean cruise. Mr. McNamara suggested he reconsider. The assistant said he was far too busy. "All right," Mr. McNamara said, "I'll take no vacation, either, this year. Damned if I'll admit you're more valuable around here than I am." The man went, came back refreshed.

None of these stories is particularly newsworthy. They lose a lot in the telling. Their punchlines could be sharpened. But they are not the kind of stories other people tell about IBM machines.

Mr. McNamara could be in deep trouble with Congress. The TFX inquiry has slowed his programs. There have been no major reforms in months. But his main source of power is intact.

"Aside from his brother, Robert Kennedy, no one is closer to the President than Bob McNamara," a White House adviser says.

Has TFX hurt him?

"Undoubtedly," this source said. "In some quarters. But it has not hurt him with the President."

Meanwhile, the McNamaras' idea of a night on the town is to pick up the (Deputy Secretary) Roswell Gilpatric, drive to their favorite German restaurant and "waste" the evening eating German sausages, drinking German beer, and singing German songs.

[From the Washington Post, June 7, 1963]

THE TFX LOSER

(By Rowland Evans and Robert Novak)

Though the interminable TFX investigation is months away from being buttoned up, the big loser in this dreary business has now emerged: Senator JOHN L. MCCLELLAN and his famed Permanent Investigations Subcommittee.

MCCLELLAN'S investigation of the Defense Department's contract award for the futuristic TFX fighter-bomber will produce no clean winner. Certainly not Defense Secretary Robert McNamara. His maladroit handling of MCCLELLAN has exploded the myth of computer infallibility. Congressional respect for McNamara never will be quite what it was before TFX.

But MCCLELLAN'S reputation has suffered much more. For the first time in his career of shielding the Nation from sin, the imperious moralizer from Arkansas has failed to drive home his sermon. He and the subcommittee staff have been unable to convict McNamara and his bright young men of sinister deeds in giving the TFX contract to General Dynamics instead of Boeing.

The TFX award will not be canceled. There will be no competition of prototypes between General Dynamics and Boeing, as MCCLELLAN has suggested. And most definitely, McNamara will not resign from the Cabinet in disgrace, which became the real aim of MCCLELLAN.

This failure to add McNamara's scalp to his long collection leaves MCCLELLAN in a dilemma new to him.

If his subcommittee issues a noncommittal report on the TFX affair or no report at all, it will be an admission of gross error that would be difficult for anyone so self-righteous as MCCLELLAN.

But if he insists on a tough anti-McNamara report, he might get no better than a 5-to-4 vote of support from his sharply divided subcommittee. Worse yet, the parent Government Operations Committee might reject the subcommittee's report, which would be an insufferable humiliation.

The decline of JOHN MCCLELLAN goes deeper than his failure to destroy a Defense Secretary. There are signs that more than a few Senators are fed up with the headline-hunting antics of the Investigations Subcommittee.

Created in 1946 to watch over Government agencies, the subcommittee soon diverted its talents to hunting Communists under the leadership of Senator Joe McCarthy. Though McCarthy was condemned by the Senate in 1954, the Senate put no restrictions on the subcommittee.

From 1957 to 1961, MCCLELLAN and the investigating staff (then headed by Robert F. Kennedy) conducted a wild-swinging special investigation of labor racketeering. It has lashed out in all directions the last 2 years, including investigations of B-girls and Jimmy Hoffa—with no discernible purpose other than newspaper publicity.

What is new today is a quiet rise of anti-MCCLELLAN sentiment within his own subcommittee. There is growing disgust with staff investigators who act like grade B movie district attorneys trying to humiliate everybody they investigate. Senators are getting sick and tired of lurid subcommittee reports reading like paper-back detective novels.

Despite all this, the Senate is not about to rebuke MCCLELLAN by requiring more orderly procedures for his subcommittee. MCCLELLAN is undergoing a more subtle form of punishment. He has lost the confidence of his peers.

[From the Washington Post, June 19, 1963]

THE V/STOL NONSENSE

(By Rowland Evans and Robert Novak)

There was a little noticed but graphic illustration on Capitol Hill last week of the kind of investigation Congress simply should not be making.

At issue was the year-old award of a research contract for the proposed V/Stol, a highly experimental plane that is supposed to take off and land vertically like a helicopter but fly like a regular airplane. The contract went to Bell Aerosystems Co., even though Navy brass lined up solidly with Douglas Aircraft, a longtime Navy favorite.

Sound familiar? This is the same question of Defense Department civilians overruling uniformed officers that lies at the heart of the uproarious investigation of the TFX fighter-bomber contract.

The TFX investigation has been staggering along in Senator JOHN MCCLELLAN'S Permanent Investigations Subcommittee all year, but the V/Stol question was cleaned up in 3 days last week by Senator JOHN STENNIS' Preparedness Subcommittee. The explanation of this contrast is easy: MCCLELLAN is a notorious headline milker, and STENNIS isn't. STENNIS always tries to hold down the fireworks and complete an investigation with all deliberate speed.

Brief as it was, however, there remains the question of whether the Stennis investigation was not 3 days too long.

Unlike the intricate TFX affair, the V/Stol facts are simple enough. The admirals advised that the Douglas proposal was superior to Bell's on a technical basis, though both were acceptable. In addition, they declared, the Douglas plan would be a little, though not much, cheaper.

But Deputy Defense Secretary Roswell Gilpatric overruled the Navy and awarded the contract to Bell. As Pentagon men testified last week, Bell has had much more experience with vertical take-off-and-landing aircraft than Douglas.

Even more to the point (although they were loath to say it out loud last week), top Defense Department officials simply have lost confidence in the management team at Douglas to deliver on risky experimental contracts. Although the Navy and Douglas have had a happy partnership in producing the AD series of attack planes, the company's performance in trying to develop the ill-fated Skybolt air-to-ground missile was considered subpar by the men who run the Pentagon.

There's room to complain about the V/Stol contract procedure only if one applies the most strained and questionable interpretation of procurement regulations. But such an interpretation would prevent the civilian command from exercising any discretion at all. It would compel them to accept as final the opinion of Navy engineers .

Most Senators accept the wisdom of present law permitting the Secretary of Defense to overrule the faceless technicians. Accordingly, all that is really left to investigate

is whether Gilpatric was correct in preferring Bell's management to the Douglas crew. But STENNIS never had any intention of investigating the relative merits of two private companies, and properly so.

Why then was this obscure contract award investigated at all? This is a murky area, but there seems to be two reasons. And both go back to the TFX investigation.

First, uniformed naval officers wanted V/Stol investigated. There is a not-so-quiet war currently raging between Defense Secretary Robert McNamara and the uniform Navy. It wouldn't be surprising if rebellious naval officers, noting the embarrassment McNamara has been subjected to in the TFX affair, would try to further discredit tough civilian control at the Pentagon.

Second, there is good reason to believe MCCLELLAN'S investigators ran into the V/Stol affair while digging into the TFX award. Though the Stennis staff denies it, some well-informed sources in Congress actually believe STENNIS took over the V/Stol investigation to keep it out of MCCLELLAN'S hands.

At any rate, the Pentagon has good reason to be thankful that V/Stol wound up in the STENNIS subcommittee. The investigation offered headline-producing possibilities of conflict-of-interest and White House influence that STENNIS intentionally ignored as irrelevant.

But to concede that the investigation was orderly is a long way from declaring it necessary or even useful. It was neither.

COMMUNITY MENTAL HEALTH CENTERS

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, to complete my introduction of legislation needed to implement the President's proposals relative to mental illness and mental retardation, I am today introducing for appropriate reference a bill designed to provide for Federal support for the construction and initial staffing of community mental health centers.

The bill is nearly identical to H.R. 3683, on which hearings were held before a subcommittee of the Committee on Interstate and Foreign Commerce in March. I am including a summary of it at the end of my remarks.

My motives for introducing this bill are twofold. First, as a longtime advocate of effective legislation in the mental health field, I wish to leave no doubt in anyone's mind as to where I stand in relation to the provisions of this bill. I am for these provisions, and I consider their adoption by this House to be of critical importance.

Second, I wish to emphasize, by my introduction of a separate community mental health centers bill, my conviction that the omnibus approach to this type of legislation is ineffective, and needlessly delays the passage of necessary legislation by this House.

Briefly, the two major provisions of this bill are these: First, that congressional authorization be secured for grants to the States to construct comprehensive community mental health centers beginning in fiscal year 1965, with the Federal Government providing 45 to 75 percent of the project cost; and, second, that Congress authorize short-term project grants for the initial staffing cost of these centers, with the Federal Government providing up to 75 percent of the costs in the early months, on a gradually declining basis, terminating such support for a project within less than 5 years.

Mr. Speaker, I trust I need not detail for the Members of this House the great need we have for this legislation. As the President stated in his message of February 5:

> We cannot afford to postpone any longer a reversal in our approach to mental affliction. For too long the shabby treatment of the many millions of the mentally disabled in custodial institutions and many millions more in communities needing help has been justified on grounds of inadequate funds, further studies, and future promises. We can procrastinate no more.

The provisions of this bill, and the community mental health centers as conceptualized in the President's message are soundly based upon recent developments in mental health activities throughout the country. These developments indicate that a large proportion of the mentally ill who previously were thought to require a long-term stay in a State mental hospital can be effectively cared for within their home communities if adequate community services are provided.

For example, some studies show that only approximately 7 percent of the psychiatric patients treated for 2 or 3 weeks in a general hospital are transferred to mental hospitals offering long-term care. In addition, modern treatment methods have made it possible to treat effectively in outpatient facilities many patients who formerly would have required long-term hospitalization. In one study, psychotic patients cared for in a day center were returned to their jobs within 6 weeks. Other patients, with a similar degree of illness, were hospitalized in a State hospital, where their average length of stay was 6 months.

However, in all but a few communities in the country and for all but a few of the mentally ill, patient care within the community is inadequate and poorly coordinated.

The comprehensive community mental health center will provide prompt and comprehensive services—early diagnosis, outpatient and inpatient treatment, and transitional and rehabilitative services. It will be close to the patient's home so that he can reach it when it is needed, and so that his problems can be quickly and effectively dealt with. As his needs change, the patient in such a center can move quickly from one appropriate service to another—basically, he will be able to proceed from diagnosis through treatment and recovery to rehabilitation in the shortest possible time.

In addition, the centers will place a heavy emphasis upon preventing mental illness wherever possible, and in improving the mental health of the community in which it is located.

Mr. Speaker, I fervently hope and believe that the effect of this legislation, if fully implemented, will be to revolutionize our present system of caring for the mentally ill. It will insure that mentally ill persons are not needlessly hospitalized in State mental hospitals when their illnesses are such that they can appropriately be cared for within the community. And it will insure that the State mental hospital of the future, relieved of the burden of caring for patients who can appropriately be cared for in the community, will function as an effective essential resource within a comprehensive program of mental health care.

However, this bill, as a legislative proposal, is evolutionary, rather than revolutionary. Under the provisions of the Hill-Burton Act, Federal funds have long been used to help meet the cost of constructing health facilities. And, through grants-in-aid programs to the States, the Federal Government has given some assistance in meeting the costs of staffing outpatient psychiatric clinics.

This new legislation fills out currently existing gaps in Federal legislation designed to help States and Communities meet the health needs of their ciitzens. It is needed to stimulate the construction of this new type of health facility—one which will, as the President said, "return mental health care to the mainstream of American medicine, and at the same time upgrade mental health services."

Mr. Speaker, for a long time I have consistently brought the needs of the mentally ill to the attention of this House.

As chairman of the Subcommittee of the Committee on Appropriations that annually considers the administration's Budget for the Department of Health, Education, and Welfare, I have, year after year, urged that adequate funds be appropriated to mount truly effective programs in this field.

Faced with the exciting new possibilities contained in the President's proposals for a national mental health program, the Appropriations Committee reported favorably on the administration's request for increased appropriations to implement many of the President's proposals for which no new legislation is needed.

However, without the passage of a community mental health center bill, it will be impossible to implement the pivotal features of the President's program. I therefore urge that this great legislative body enact this bill.

I am submitting for the RECORD a summary of the bill I now introduce:

COMMUNITY MENTAL HEALTH CENTERS OF 1963

TITLE I. CONSTRUCTION OF COMMUNITY MENTAL HEALTH CENTERS

Title I would authorize the Secretary of Health, Education, and Welfare to make project grants for the construction of public and other nonprofit community mental health centers: That is, facilities providing services for the prevention or diagnosis of mental illness, or care and treatment of mentally ill persons, or rehabilitation of persons recovering from mental illness. To be eligible, the centers must provide at least those essential elements of comprehensive mental health services which are prescribed by the Sec-

retary in accordance with regulations, and would have to provide such services in the community. Applications would be submitted to the Secretary after approval by the State agency designated by the State to administer the State plan.

APPROPRIATIONS

Appropriations of such sums as the Congress may determine would be authorized for the 5-year period from July 1, 1964, through June 30, 1969.

ALLOTMENTS

The funds appropriated would be allotted among the States on the basis of population, extent of need for community mental health centers, and the financial need of the respective States, with a minimum of $100,000 for any State. Some flexibility in the allotment structure would be permitted in certain situations. First, where two or more States have a joint interest in the construction of a single mental health center, part of one State's allotment could, with the Secretary's approval, be transferred to the allotment of another State to be used for that purpose.

FEDERAL SHARE

A State would be given the alternative of varying—between 45 and 75 percent—the Federal share of the cost of construction of projects within that State in accordance with standards providing equitably for variations among projects or classes of projects on the basis of the economic status of areas and other relevant factors, or of choosing a uniform Federal share—which would not be less than 45 percent and could go as high as 75 percent for some States—for all projects in the State.

STATE ADVISORY COUNCIL

A State advisory council, composed of representatives of non-Government organizations or groups, and of State agencies, concerned with planning, operating, or utilizing community mental health centers or other mental health facilities, as well as representatives of consumers of the services involved, would consult with the State agency in carrying out the State plan.

STATE PLANS

The State plan would be required to set forth a program for construction of community mental health centers based on a statewide inventory of existing facilities and survey of need for facilities, and to provide for construction in the order of relative need for the facilities, insofar as permitted by available financial resources. The State plan would also have to meet several other requirements, including designating a single State agency as the sole agency to administer the plan; providing methods of administration necessary for the proper and efficient operation of the plan; providing minimum standards for the maintenance and operation of centers constructed under the title; and providing for affording applicants an opportunity for hearing before the State agency.

FEDERAL REGULATIONS

The Secretary would be required to issue regulations within 6 months after enactment of this title, and after consultation with the Federal Hospital Council—the advisory council for the hospital and medical facilities construction—Hill-Burton—program. The bill would provide for increasing the membership of the Federal Hospital Council from 8 to 12 members, and would require 1 member to be an authority in matters relating to mental illness. The regulations so issued would prescribe first, the kind of community mental health services needed to provide adequate mental health services for persons residing in a State; second, the general manner in which the State agency shall determine priority of projects based on relative need in different areas, giving special consideration to projects on the basis of the extent to which the centers to be constructed will, alone or in conjunction with other facilities owned or operated by or affiliated or associated with the applicant, provide comprehensive mental health services for mentally ill persons in a particular community or communities, or which will be part of or closely associated with a general hospital; third, general standards of construction and equipment of different classes of centers and in different types of location; and fourth, that the State plan shall provide for adequate community mental health centers for people residing in the State, and for adequate centers for serving persons unable to pay therefor.

OTHER REQUIREMENTS FOR PROJECT APPROVAL

Applicants would have to meet several other requirements set forth in the bill, such as providing assurances that adequate financial support will be available for construction of the project and for maintenance and operation of the center when completed, and that in the construction of the centers all laborers and mechanics will be paid not less than the prevailing wages in the locality, and overtime pay in accordance with and subject to the Contract Work Hours Standards Act.

TITLE II. INITIAL STAFFING OF COMPREHENSIVE COMMUNITY MENTAL HEALTH CENTERS

Title II would authorize the Secretary of Health, Education, and Welfare to make grants to assist in meeting the cost of initial staffing of comprehensive community mental health centers.

APPROPRIATIONS

Appropriations of such sums as may be necessary would be authorized for each fiscal year beginning after June 30, 1965.

ELIGIBILITY FOR GRANTS

To be eligible for grants an applicant must be a public or other nonprofit agency which owns or operates a community mental health center which has received a construction grant under title I of this legislation. Furthermore, the program of services to be provided by the center must include, at least, the following types of service: Diagnostic services, inpatient care, outpatient care, and day care. This program of services must be provided by the center—alone or in conjunction with other facilities owned or operated by, or affiliated or associated with the center—principally for persons residing in a particular community or communities in or near which the center is situated.

DURATION AND AMOUNTS OF GRANTS

Grants for staffing a community mental health center could be made only for the period beginning with the commencement of operation of such center and ending 4 years and 3 months later. For the first 15 months of the center's operation, the Federal grant may not exceed 75 percent of the staffing costs of the center; for the following 3 years the Federal participation in such costs may not exceed 60, 45, and 30 percent, respectively.

FEDERAL REGULATIONS

The Secretary would be required to consult with the National Mental Health Council in the development of regulations concerning the eligibility of centers and the terms and conditions for approving applications under this title.

EQUAL RIGHTS MEANS EQUAL JUSTICE FOR ALL

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, the entire country was shocked at the brutal and cowardly murder in Mississippi of the Negro leader, Medgar Evers. Murder is a dastardly business and its perpetrators should be found and punished.

There is a disturbing element, however, in the murder of the Negro leader and other news items which have gone almost unnoticed. In Hoboken, N.J., last week Walter Glockner, a 27-year-old truckdriver, was shot in the back and killed. He left two small daughters and a young widow. Mr. Glockner was murdered because he was fighting for more democracy and better treatment for the members of his local union. As the Nation mourned for Medgar Evers and the President sent a message of sympathy to his widow and the Attorney General promised full cooperation of the FBI to bring the murderers to justice, there were few who knew of the murder of Walter Glockner, and as an editorial in the Wall Street Journal asks, "who mourns for Walter Glockner?"

This morning the radio newscasts are telling of a young white soldier here in Washington who was stomped to death last night after being dragged from his car by seven Negroes. Where is the outcry for this boy? Will the President call his mother? Will the Attorney General turn out the full force of the FBI to bring to justice the ruthless thugs who unconstitutionally murdered him?

Mr. Speaker, the scales of justice must be balanced for the protection of all law-abiding citizens of every color, race, and national origin. We cannot allow white men to die at the hands of Negroes without just as vigorous protest and all-out effort to bring to justice the murderers as when a Negro dies. Medgar Evers was fighting for a cause in which he believed as was Walter Glockner and the American soldier died for no reason at all at the hands of depraved assailants,

but they will all have lived and died in vain and others of both the white and black race will die at the hands of mobs or cowards unless the forces of law and order and power of the Government dispenses justice equally and does not make martyrs out of slain Negroes, and just statistics of white men who die at the hands of thugs or, as in the case in Washington last night, at the hands of Negroes.

Let us pray that the God-fearing people of America, both colored and white will rise in justified anger at using death as a political weapon and demand that all the forces of law and order be brought into play to bring to justice those who defy the laws, those who commit murder.

As a part of these remarks and so that there will be some to mourn Walter Glockner, I include the editorial from the Wall Street Journal of June 18:

TWO MURDERS

As he left home early that morning, three .38 caliber bullets tore into his back. Thus, on a Hoboken, N.J., street, ended the life of Walter Glockner, 27, truck driver. Besides his young widow, he left two small daughters, one only 2 months old.

As Medgar Evers returned to his Jackson, Miss., home from a church rally last week, he was shot to death by a sniper in ambush. Thirty-seven years old, Mississippi field secretary of the National Association for the Advancement of Colored People, Mr. Evers left a wife and three children.

For years Mr. Evers, a veteran, had been working actively for better treatment—more democracy and fuller freedom—of Negroes. That is why he was killed.

For some time Mr. Glockner, a veteran, had been working actively for better treatment—more democracy and fuller freedom—of members of his union local. That, beyond any reasonable doubt, is why he was killed.

So both men fought for justice, each in his own way, and each suffered the most unjust penalty. The murder of the Negro was, as the President said, an act of appalling barbarity. The Nation, North and South, agreed and, mourning, will inter Medgar Evers in Arlington National Cemetery.

But who, outside his family and friends, mourns for Walter Glockner?

Remembering Walter Glockner, the young soldier, and many others who have been attacked by Negroes we can well conclude, in view of the President's lopsided interest, that we are now indeed witnessing discrimination for Negroes and against whites with death being used one-sidedly as a political weapon.

ADDRESS OF HON. LEONARD FARBSTEIN AT UNITED JEWISH APPEAL DINNER

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, on Monday, June 17, I was privileged to be the guest of honor at a dinner given in New York City by the United Jewish Appeal. In my address I took exception to the suggestion recently made by our Secretary of State that massive aid be given to the United Arab Republic under Public Law 480.

I submit herewith my address in its entirety:

Mr. Chairman, distinguished rabbis, and guests, all of us sometimes find that we must disagree most vigorously with people whom we respect and admire. I find myself in this position with respect to our Secretary of State, Mr. Dean Rusk, whom I admire greatly, but whose position on some aspects of our foreign policy is in my opinion outrageously shortsighted.

I refer, for the moment, to Mr. Rusk's policy of granting the United Arab Republic massive aid under our food-for-peace program. Supporters of such aid point out that most of our money and resources goes to feed the hungry people of Egypt directly. They ignore the indirect effect of such massive food shipments. Clearly as a result of our aid it becomes unnecessary for Mr. Nasser to sell his cotton to obtain funds with which to buy food. The millions of dollars Nasser would otherwise have to spend for food, he now has available for his own designs. He uses these millions to stir up revolts in peaceful nations by means of the best financed propaganda machine in the Middle East. He uses the money to pay German scientists to develop modern weapons of war and destruction to use against America's friends. He uses the moneys to bomb and terrorize open and unprotected villages in Yemen.

We in the United States, through our shipments of food to Nasser, are contributing immeasurably to Nasser's ability to carry out his destructive plans just as though we gave him the cash. He uses the money we save him to purchase arms and equipment from the Soviet Union which his constitution decrees should be used to destroy, or as he puts it, liberate, the State of Israel.

We are gathered here as friends not alone of LEONARD FARBSTEIN but as friends of Israel. This little nation oriented to the West is (as you all know) surrounded by those who would drive it into the sea.

Therefore it is hard to believe that any official agency of the United States would not be sympathetic to the survival of this remnant of 6 million Jews who were incinerated not so many years ago. However, the State Department has subordinated Israel's interests to that of the Arab nations since President Truman imposed recognition upon it. In the presence of clear threat, we find that the State Department of our great Nation continues to play it cool insofar as Israel is concerned. This unfortunate situation has existed in this country since the recognition of Israel 15 years ago. At that time the State Department, under Secretary Acheson, objected to the recognition of Israel, but to his great credit, President Truman wisely met the situation and the United States was the first major power that recognized Israel.

Under President Eisenhower, Secretary of State Dulles caused the withdrawal of England, France, and Israel from the Sinai Desert. In my opinion and in the opinion of authoritative sources, one of our greatest blunders.

The answer to the constantly negative position of the State Department in its approach to what we all believe should be their attitude toward the Arab-Israeli situation must be the attitude taken by the President of the United States. Fortunately President Kennedy has made his position clear in his news conference which followed my letter objecting to the State Department's answer to the threat posed by the German scientists in Egypt.

President Kennedy stated: "We support the security of both Israel and her neighbors. We seek to limit the Near East arms race which obviously takes resources from an area already poor and puts them into an increasing race which does not really bring any great security.

As a member of the Foreign Affairs Committee of the House of Representatives, I introduced a resolution that would authorize the withholding of all foreign aid to nations who would use such aid to obtain weapons of aggression. However, the record of the Foreign Affairs Committee in my time is such that the passing of an amendment making such withholding of aid mandatory unlikely. Therefore, in pursuit of the possible, I am offering the following amendment to the foreign aid bill and hope and expect that it will be enacted.

"It is the sense of Congress that in the administration of these funds great attention and consideration should be given to those countries which share the view of the United States on the world crisis and which do not, as a result of U.S. assistance, divert their own economic resources to military and propaganda efforts, directed against the United States or against other countries receiving said aid under this act, and whether or not such efforts are supported by the Soviet Union or Communist China."

The adoption of this amendment will serve to inform both our State Department and the nations of the world, particularly of the Middle East, the position of the Congress toward nations that divert their resources to military and propaganda efforts directed against the United States and our friends.

I do not oppose feeding the hungry in Egypt, no thinking person or persons of good will could possibly do so. It is unreasonable, however, for conditions to be imposed upon the recipients of our largesse. Is it unreasonable to request, yes, demand—

1. That the granting of aid be preceded by agreement to preserve the peace?

2. That those countries receiving our aid who are not being threatened by external forces, forgo building aggressive arsenals using our aid as a means?

I think my amendment is fully in line with the President's position. Whether the nation be Egypt or any other power that seeks to expand its offensive ability, our foreign aid should certainly not contribute to that nation's ability to wage aggressive war.

For those of us who are gathered here, the preservation of the integrity of the State of Israel is a matter of great concern. To those of us who are Jews, Israel represents the fulfillment of an ancient and burning vision. It is an outpost of popular, democratic government in a part of the world otherwise ridden with tyranny and despotism. It stands as a fortress of freedom and a haven of refuge for the homeless and oppressed. For all Americans it stands out as an example of what youth, dedication, and courage can achieve against overwhelming obstacles.

Your presence here today is a tribute to the cause of freedom, democracy, and peace in the Middle East and elsewhere.

I am personally grateful to each of you for being with me here tonight and I give you my solemn assurance that I will fight this battle for freedom, democracy, and peace as a Jew and as an American.

Thank you.

CIVIL RIGHTS PROPOSALS

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, since the 1 minute allotted us at this time is totally inadequate to intelligently address myself to the President's message just presented to Congress, I have asked unani-

mous consent to revise and extend my remarks in the body of the RECORD.

Today's request by the administration for new authority in the field of civil rights will go down as the most excessive grab for power in the history of this country. This demand for unconstitutional and unwarranted legislation will not accomplish its stated objectives but will serve only to inflame an already inflamed situation. It will add to and perpetuate chaos rather than provide solutions. It will inflame passions rather than pacify or eliminate current tensions.

As I, and many others, have often observed, legislation without education will yield far more harm than good in this field. One does not have to read very closely the demands by current mob leaders to realize that their demands exceed their capability to absorb. A yielding to such demands would result only in greater frustration when the emptiness of their victory was realized. Only through education and the efforts and understanding of men of good will can any meaningful progress be made in human relations. Punitive legislation can only embitter.

As strongly as I condemn mob rule and excessive Federal power, I condemn even more so the do-gooders, liberal eggheads, and political power seekers who seek to cloak their lust for power with the Constitution and to disguise their selfish interests with the respectability of lawful authority. They are more interested in votes than in solutions. Their interest in their own political security obliterates their interest in our national security. They seek to perpetuate problems rather than solve problems. To many of them accelerated tensions guarantee fatter pocketbooks. Solutions would kill their golden goose.

Today's proposals will take away from our businessman, already harassed by Federal tax laws and the regulations of countless agencies, the basic right to risk his capital and run his business as he sees fit.

Mr. Speaker, is it not axiomatic that if one presumably has a right to buy from whomever and whenever he pleases there is a corresponding and coequal right for one to sell to whomever and whenever he pleases? Already we have seen naked Federal power used without lawful authority in the field of Government contracts. Now we see an attempt to control the businessman's dealings with private citizens. No longer will he be willing to reinvest his profits, enlarge his business, and create additional employment opportunities. Our employment situation, already a significant national problem, will be further aggravated.

Why are the proponents of these measures so obviously inconsistent in their approach to this matter? We have seen the murder of a white man in North Carolina dismissed as an unfortunate incident while the murder of a black man in Mississippi is said to be a blot on the conscience of the Nation. We have heard the President tell the mayors of this country in Hawaii that the problem was local in nature and two nights later tell the world that the Federal Government must provide the solution.

Why should the administration, the do-gooders, leftwingers, and vote-seeking politicians continue to make the great Southland the whipping boy on this issue? We have heard them condemn the use of police dogs in Alabama and ignore their use in Harlem. Nor have they mentioned that police dogs have to be used on the steps of the Capitol here in Washington nor that policemen without dogs are ordered to walk their beats in pairs for their own safety in this model city. No mention has been made of the firing on police cars that have occurred in Maryland and Virginia. These observations show a most unjustified double standard which utterly fails of comprehension.

Yielding to no man in my love of liberty and the Constitution and my desire to see every man, regardless of the color of his skin, treated fairly, I will oppose these measures with all the fervor of my being, aided and abetted by the knowledge that in doing so I labor in the cause of mankind rather than in the cause of turmoil and strife. The experience in Cambridge, Md., should prove conclusively to any openminded person that passage of laws alone, without the accompanying patience, education, and good will, will do more harm than good.

Mr. Speaker, every citizen must realize that issues are not settled in streets.

MORE ON WASTE AND INEFFICIENCY IN DEFENSE PROCUREMENT

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, I have a little more to say today about the expenditure of your defense dollars. On June 3 I received a procurement document providing for sole-source procurement of 421 attitude indicators.

Most Members are by now familiar with my study of defense procurement and the waste and inefficiency I have uncovered. Even the most blase should listen to this latest case I have developed against the U.S. Army Electronics Materiel Agency. It will curl your hair, if it doesn't get you so hot that the hair turns off the top of your head.

On May 28, 1963, the Army Electronics Materiel Agency issued a sole-source—no competition—procurement document—RFP No. AMC(E) 36-039-63-10651-B4. It proposed to buy 421 equipments known as the ID-999/ASN Attitude Indicator. On the front of the request for proposal—which was mailed to only one company—was a printed warning:

> Notice is hereby given that specifications, plans, or drawings relating to the procurement described below are either not available or are insufficient to provide all necessary manufacturing and construction details.

Curious as to what sort of specialized equipment this might be, and feeling that, as in the past, this certification of no drawings might be an attempt to channel a contract to a favored producer, I requested U.S. Army liaison officers to obtain for me: First, all copies of past contracts for this equipment; second, a set of manufacturing drawings for the equipment; third, a copy of the documents that justified the sole-source procurement. That request was made on June 3, 1963, the day I received the bid set in my office.

On June 7, Brig. Gen. Allen Stanwix-Hay, commander of the Army Electronics Materiel Agency at Philadelphia, wrote me, supplying me with part of the information I requested which showed that:

First. The Army planned to spend $338,000 for 421 of the attitude indicators used to provide a visual indication of flight attitude.

Second. The reason for the sole-source (no competition) award was that the Government has insufficient technical information and cannot define the item in detail.

General Stanwix-Hay added two paragraphs at the end of his letter. One said it was the first time this item had been bought by USAEMA. The second said that he had directed the procurement be canceled since the investigation I requested uncovered available stock in other agencies of the Department of Defense to fill the need. Of course, this last statement represented an immediate saving of $338,000 to the taxpayers of this country, and for that I was grateful.

But I was also curious. I telephoned General Stanwix-Hay and asked him who had made the equipment before, how much was paid for it, and how many were on hand. At the same time, I also requested the Army, Navy, and Air Force liaison offices to make a similar check. To date, this is what I have learned. The equipment has been purchased since 1950. It costs about $800 per unit. It has been purchased by both the Navy and Air Force. At this very moment, there are over 12,000 pieces of this equipment scattered around in depots all over the country. Over 8,500 can be used right now. Another 3,600 can be repaired and placed in use.

In short, Mr. Speaker, there is no scarcity of this equipment. The Army's needs can be filled from present stocks without even making a dent in this huge surplus. There is no reason for there being insufficient procurement data available. This item has been purchased for over 13 years.

The Navy has even told me that its ID-999/ASN equipment is being used simply as a backup for later-model equipment and that an entirely new attitude indicator is soon to be developed.

I might add at this point that I have asked other questions to get to the bottom of this fantastic hoax. I want to know who was responsible for this attempt to pick the taxpayers' pockets to the tune of $338,000. Thus far, the only name I have is that of Mary D. Regan, a contracting officer at Philadelphia. I am

sure there will be more names when my questions are answered.

Mr. Speaker, this proves what I have been contending for 2 years. In this one instance there has been an attempt to shove through an emergency sole-source purchase for 338,000 U.S. taxpayers' dollars for equipment that, first, exists in abundant stockpiles; second, has been bought for over 13 years; and third, is almost obsolete.

This is another illustration of what a single Member of this House can do when he gets bidding information at the same time the various procurement arms of the Defense Department mail them out. When you spot the waste in front of the deal, you can save the taxpayers' money.

Yesterday, I chronicled waste of $17 million. Today, I point to a $338,000 saving for the taxpayer. Tomorrow, I shall show how officials, through ignorance or design, ignore laws this Congress passes which are intended to control just this sort of activity.

Mr. Speaker, my bill, H.R. 4409, will set up a joint, nonpartisan committee of this Congress to maintain surveillance over just such negotiated procurements. Such a committee could spot hundreds of instances of waste such as the one I have detailed today. Such a committee, properly constituted, could more than pay for itself the first day it started operations. It could also bring the procurement branches into line, force more efficient buying of defense hardware and bring about sizable and significant reductions in the cost of national defense.

THE PRESIDENT'S CIVIL RIGHTS MESSAGE

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, the President at long last has sent Congress a civil rights message and legislation. With some exceptions, I think it is good legislation. The bulk of it in fact is legislation that I and 30 other Republicans in the House have introduced and have long pressed.

The President's legislation is more limited than ours. It is padded with unnecessary verbiage to give the impression that it goes further than it does, and parts of it are inartistically drafted. But on the whole it is good and should be considered without delay by the Judiciary Committee. The administration has already delayed legislation far too long on this subject.

Mr. Speaker, I must express my concern also over the President's trip abroad at this time. I question the wisdom of it under the present circumstances, and I would urge him to reconsider. I can see no specific purpose that can be served by the trip, particularly in view of the fact that since the plans were made the Pope has died and a new Pope has not been elected, the Italian Government is in disarray, there are political pressures in Germany over Adenauer's successor, De Gaulle remains adamant, and an explosion in England over the Profumo case would not assist any constructive discussions with Macmillan.

Meanwhile, our own country is faced with the possibility of severe and imminent explosion. President Kennedy and his brother are only beginning to comprehend the meaning of the demonstrations that have occurred, and I think it most unwise for the President to leave the country in the midst of such heat and tension. If he really means business with this legislation he should mobilize the people of the United States behind it—now, not later.

POLICIES OF THE SECRETARY OF DEFENSE

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, I deeply regret that the evidence is now overwhelming that the Secretary of Defense, Mr. McNamara, has either established or is actively condoning a system which requires commissioned officers of the U.S. armed services and their civilian subordinates to deceive Members of the Congress of the United States with respect to the award of contracts. In setting a pattern that requires officers and civilians to hoodwink Members of Congress, the Secretary of Defense is thrice guilty. By deliberately misleading in small matters the Department of Defense destroys the confidence of the Congress in any information that it may transmit. In requiring professional military men to participate in these uncouth deceptions the Secretary is corrupting the code of honor that has been a badge of pride for America's fightingmen for 187 years. In unsuccessfully attempting to deceive me, the Department of Defense does not so much do me a disservice as it insults the nearly 700,000 people who sent me here.

The following telephone messages were received by, or originated in my office on Tuesday, June 18, 1963, at the approximate times indicated:

Noon: Received message that the News, a daily paper in Frederick, Md., had just got a news release concerning the award of a $4.5 million contract for the construction of additional facilities at Fort Ritchie.

Immediately called House Army liaison to ask who in the Department of Defense could provide wording of the release. Was referred to code 11, extension 53357.

At 12:05 p.m.: Called the office of the Chief of Contract Support Division, Mr. Webb, code 11, extension 53357, and was advised Mr. Webb was not available and the office had no information concerning the contract. Referred to Mr. Hillman, code 11, extension 79085.

Immediately called Mr. Hillman's office and was referred to Mr. Richardson or Mr. Millard, code 11, extension 74529 or extension 53941.

Immediately called code 11, extension 53941, Mr. Richardson, who regretfully declined to give any information and referred call to code 11, extension 78131.

Immediately called code 11, extension 78131, and was told by an unidentified staff member that news of any such contract had not been released and that it was not known when it would be available. Requested further details by 12:30 p.m., but no further response was forthcoming by that time.

At 12:45 p.m.: Called House Army liaison and was assured that an attempt would be made to secure the information.

At 1 p.m.: Received call from House Army liaison advising, on the authority of Col. William J. Love, code 11, extension 78131, that a release would be made at 3 p.m. from the Pentagon and that Mr. MATHIAS would be advised at that time.

At 2:58 p.m.: Received call from Mrs. Dugan, code 11, extension 78131, stating: "Baltimore district engineer awarding the contract today to Frederick Construction Co., Inc., 615 North Market Street, Frederick, Md., $4,407,527. The contract is for classified increment No. 2 for Alternate Joint Communications Center at Fort Ritchie, Md."

WHO NOW MAKES THE LAW?

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, the recent U.S. Supreme Court decision in the Arizona against California water dispute has left many unanswered questions.

I do not intend to challenge the judgment of the Court in as far as the normal allocation of the Colorado River water is concerned. The water allotments the Court decided were fair and equitable for the States involved are not an issue.

However, the outstanding question yet to be answered is—how much or how little water will the States get if there is a water surplus or a water shortage?

The special master, appointed by the Court to report on the case, heard 340 witnesses, compiled a transcript of 25,000 pages, and filed a report of 433 pages. It was his considered opinion that any water surplus should be divided equally between California and Arizona, and that in the event of a shortage water should be divided between the States in proportion to their normal allotments.

This proposal, while not perfect, appears to have considerable merit.

A majority of the U.S. Supreme Court, however, have arrived at a different solution. The Court has decided that the Secretary of the Interior shall decide, in any way he sees fit, the apportionment of water to the various Western States in the event of a surplus or a shortage. Furthermore, in reaching his decision he shall not be bound by any prior contract, compact, or formula.

Mr. Speaker, from where does the Secretary of the Interior draw this broad authority? By what right does the Secretary of the Interior have the power to give or withhold the lifeblood of the West—water?

Mr. Speaker, the Secretary of the Interior has been given this economic stranglehold by the Congress of the United States. At least, that is the

opinion of a majority of the U.S. Supreme Court. Congress has thought so little of its legislative authority that it has passed vital questions of policy, life and death questions of economic importance, to the head of a department operated by Federal civil servants.

I do not believe it, Mr. Speaker. I do not believe that the Congress of the United States would knowingly relinquish such vital authority to a bureaucrat, and in fact at least three members of the U.S. Supreme Court do not believe it either.

Justices Douglas, Harlan, and Stewart have defended the right of the Congress to make its voice heard in these matters.

Justice Douglas has said in this case:

It will, I think, be marked as the baldest attempt by judges in modern times to spin their own philosophy into the fabric of the law, in derogation of the will of the legislature. The present decision, as Mr. Justice Harlan shows, grants the Federal bureaucracy a power and command over water rights in the 17 Western States that it never has had, that it always wanted, that it could never persuade Congress to grant, and that this Court up to now has consistently refused to recognize.

Mr. Speaker, could anything be plainer than that? A respected Justice of the U.S. Supreme Court, in council with two of his colleagues, has handed this Nation the real question of the latter half of the 20th century.

Who now makes the law? Does Congress make the law? Does the executive branch make the law? Does the U.S. Supreme Court make the law? Or, does the Federal bureaucracy make the law?

This is the real and vital issue now struggling in the sinews of the American body politic. I have not been a Member of this distinguished House for long, but I have found that this question presents itself to me almost every day.

I have had letters, Mr. Speaker, from agencies of our Government questioning my right as a Congressman to ask simple questions for information on matters pending before the Federal departments and agencies.

I have been warned by officials within the giant structure of the bureaucracy that a request for information can constitute an improper communication. I have been threatened that any letter I write will be made a matter of the public file, as though this should be something I would shy away from.

I have found agencies of this Government, created by the Congress, refusing to supply information to the Congress, and furthermore adopting rules and regulations that are never written or printed and cannot be questioned by either a member of the public or a Member of this House. In none of these instances, Mr. Speaker, was the agency involved engaged in any secret or security matters.

It is clear to me, from my own experience, that the Federal bureaucracy day by day is in fact making law. We have of necessity created this monster, and have given it broad authority within which to manage the public's affairs. I fear we have given it far too much authority for the public good.

It used to be said, Mr. Speaker, that the President proposes and the Congress disposes. Of course it has been a long time since that was true. By a hundred and one different ways the executive branch is making law. It makes little difference whether the President of the day is a member of the Democratic Party or the Republican Party. The trend is always in the same direction. World events in the past 50 years have done much to aid this drift, and Congress has clearly failed to insist on all its rightful authority and on all its rightful privilege.

The U.S. Supreme Court was intended, if my education is not in error, to interpret the Constitution and to advise the legislative authority on constitutional matters. There is no question but that the Court has strayed a long way from that original path.

With every major decision the Court hands down new laws are made. Our entire way of life in this country is being revised and remolded by the nine Justices of the Supreme Court. Our Founding Fathers would stand in shocked amazement if they could see the changes this last century has made in traditional concepts and attitudes.

Mr. Speaker, it would seem that almost everyone is making law except the Congress. Many of our citizens wonder where it will all end.

However, this reversal of roles within our society can be brought to an end. I am sure of that. If Congress will stand up and demand its rightful place within our Government all these unconstitutional empires will crumble and wither away.

The Congress must make the law. Our Government was created around this central concept. Mr. Speaker, I trust a committee will be empowered to review this entire problem and will make a full report, with recommendations to this honorable body as soon as may be practical.

ARM TWISTING ON A HIGH LEVEL

Mr. LANGEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Speaker, I have noted an excellent column that recently appeared in one of America's great newspapers, the Minneapolis Tribune. The column was written by Richard Wilson, chief of the Tribune's Washington bureau. He reflects a point of view that I would like to share with my colleagues. Mr. Wilson brings to our attention an alarming situation that many of us have noted; a situation that threatens basic freedoms of many Americans through unwarranted pressures from certain areas of the Federal Government.

The article is as follows:

ARM TWISTING ON A HIGH LEVEL

(By Richard Wilson)

WASHINGTON.—Arm twisting, one of the favorite techniques of the New Frontier, has been disclosed on a new and rather more impressive level.

The arm twisting method was previously noted in the steel price controversy, the Cuban prisoners deal, and the more benign drive for funds for a $30 million national cultural center. This technique has attained respectability in the Kennedy administration and officials can see nothing wrong in it, for they conceive their cause to be just.

The method consists of physchologically suggestive pressure on individuals or corporations to support or go along with Government action. When skillfully applied, the individual cannot honestly charge that he was threatened with reprisal or tempted by reward; he only knows he has been shaken up.

He may have an antitrust suit pending and have his mind on this when exposed to Government persuasion; but the persuaders, of course, say they do not have this in mind at all, only the public welfare.

In the new instance the pressure was perhaps more overt. In fact, it was crude. The farm bureaucracy openly and threateningly brought pressure on federally licensed radio and TV stations to give free time for the Government's version of the issue in the national wheat referendum.

No subtlety was involved. A national directive went out to State managers and local committeemen of the farm program to bring to the attention of radio and TV stations that they are federally licensed for 3 years only and the renewal of their license could depend upon the adequacy of their public service programs. This responsibility was particularly compelling, it was stated, with respect to public service agricultural programs.

The innuendo of the directive was amazing. Public service programing, it was stated, is promised by radio-TV stations "in return for two special favors granted by the Government," exclusive use of a broadcast frequency, and "the policy of the Government not to establish federally operated stations in competition with stations being operated commercially." Of course, the directive added, this does not make stations "subject to dictation."

The directive was sent out by Ray Fitzgerald, deputy administrator for State and county operations of the Agricultural Stabilization and Conservation Service, presumably with the approval of Secretary of Agriculture Orville Freeman.

With vague images evoked of licenses revoked or Government operated competitors, a good many radio and TV stations complied. A spot check shows that prime time was wangled in Indiana, Kentucky, and Minnesota, and probably elsewhere on a broader scale. Some of the stations gave their time willingly enough. They wanted just such programs. Others felt they were highly pressured.

It might be supposed that this was only in the interest of serving the wheat farmers with a factual, unbiased view of the issues before them.

But Fitzgerald's directive belies this trusting view in one sentence: "As you know, interests representing one point of view in the referendum are blanketing radio and television stations with material in heavy quantities. It is not expected that we can match the flood of material from this group, which is also in a position to buy time. But it is essential that we act aggressively to make use of public service times of radio and television stations at times of day when farm people are listening."

Farm people listened and voted. The Government could not get even a majority for the adoption of its compulsory control program for wheat. A two-thirds majority was necessary for its adoption. Rather than submit either to authoritarian control of

their farms or the methods of the not-so-hidden persuaders, wheat farmers were ready to take the risk of lower income.

Now the same bureaucracy which had so little knowledge of the people it was serving has adopted a dog-in-the-manger attitude toward new legislation. Wheat farmers would readily consider a new program patterned after the voluntary programs for feed grains coupled with acreage retirement.

But the bureaucracy still has its mind on arm twisting. Let the farmers suffer a little and they'll come back with their tails between their legs. This was a bad technique in the beginning. It is bad now. Mr. Kennedy would do well to bring it to an end and make a constructive beginning on a new wheat program that farmers want.

Mr. Speaker, it is alarming that radio and television stations should be subjected to these kinds of Government pressures. These stations, of course, are required to present divergent points of views, but they constitute great forces in the distribution of news and information to the public, much like our great newspapers. Therefore, our electronic media must be guaranteed the same freedom of press to make sure they operate in the public interest and not for what could be a one-sided Federal view. This danger to broadcasters' right and responsibility could lead to even more serious problems in the distribution of public information. The licenses of these stations do not belong to the Government; they belong to the people.

MILLBURY CELEBRATES 150TH ANNIVERSARY

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I am honored and very much pleased to bring to the attention of the House that the town of Millbury, Mass., in my district is celebrating this week its 150th anniversary with an outstanding program of activities to commemorate this great event.

In recognition of this anniversary, I am introducing an appropriate resolution for the consideration of the House which extends greetings and congratulations to the community on the occasion of the 150th anniversary of the incorporation of the town of Millbury from a part of Sutton in 1813.

It was on June 11, 1813, that Gov. Caleb Strong signed the bill approved the day before by the General Court of the Commonwealth of Massachusetts to incorporate the town of Millbury. At the time of incorporation, Millbury had a population of about 500.

Town annals indicate that Millbury was almost named Moscow, but this proposal was defeated in town meeting.

Located in an area of Massachusetts which was settled by pioneer colonists in the early days of American history, Millbury has grown from this small beginning into a thriving and prosperous community of some 10,000 people. Today, Millbury is a busy business and industrial town, offering steady employment for many of its residents. In addition, nearby Worcester employs many townspeople.

As far back as the Revolution, the manufacture of firearms and ammunition brought renown to Millbury. The first armory employing water power in the manufacture of guns was established in Millbury. The only powdermill in this section was erected by the Province in the early days of the Revolution. The production of the Sutton Waters Armory, owned by the Waters brothers, Asa and Andrus, was a most valuable contribution to the cause of freedom since the colonies were hard pressed for arms at the beginning of the Revolution when imports were cut off.

Millbury arms were used in the War of 1812, the Mexican War, and the Civil War.

The first papermill in central Massachusetts was established in Millbury. The first scythes and many improved agricultural implements made in the country were manufactured in Millbury.

Millbury can also lay claim to the principle of mass production through the interchangeability of parts and machines and implements because it is in Millbury that Thomas Blanchard conceived and perfected the cam-motion principle.

While the U.S. armory at Springfield has been cited as the birthplace of the Blanchard eccentric lathe for turning irregular forms, Millbury is actually the place where the eccentric lathe was invented and first constructed. Blanchard was later connected with the Springfield Armory and later supplements of the machine were produced there.

However, history shows that the first Blanchard machine to be set up in Springfield was carted over the roads from Millbury. After another model was produced in Springfield, the original lathe was returned to Millbury where it was used for about 20 years in the Waters Armory.

This and other Blanchard inventions were the forerunners of mass production and it can be truly said that the Blanchard eccentric lathe revolutionized gunmaking and later affected every industry where irregular forms were made or used.

Millbury also claims Dr. Leonard Gale, who assisted Samuel B. Morse in perfecting the telegraph.

Long before women's suffrage became a reality, Millbury voted in town meeting on March 20, 1882, to request the State legislature to extend to women who are citizens the right to hold town offices and to vote in town affairs on the same terms as male citizens.

Millbury is justly proud that President William Howard Taft spent part of his boyhood in the town and maintained his ties with the town throughout his life. In fact, Taft attended the Millbury centennial celebration in 1913 and was a guest speaker at the centennial banquet.

His mother was a member of the highly esteemed Torrey family of Millbury. After her husband's death, Mrs. Taft resided in Millbury. As a boy, Taft attended the public schools of Millbury and in later years often visited his grandfather, Samuel D. Torrey.

In these brief remarks, Mr. Speaker, it is not possible for me to recount in full the story of this historic Massachusetts town, but I would like to pay richly deserved tribute to the early settlers of Sutton and Millbury who helped to build this great country of ours with their magnificent sacrifices, struggles, and accomplishments. The record of their superb work and contributions lives to this day and Millbury can take justifiable pride in the remarkable legacy it now possesses.

After several previous attempts to form a separate township, Millbury became a reality in 1813. Farming was the main occupation, but swift running streams in the area led to small industrial enterprises, some to meet the need for farm implements and other goods.

Completion of the Blackstone Canal in 1828 helped speed the growth of the town. In 1830 alone some 1,000 new residents were attracted to Millbury and the growth of the town can be linked to its advantageous position on or near major travel routes. First it was the Blackstone Canal, which gave way in 1847 to the Providence & Worcester Railroad. With the decline of the railroads, industry in the town turned to the nearby fast highways to carry Millbury-made products to the big distribution centers of Boston and New York.

I am prompted on this occasion to say a word about the leadership and the people of Millbury with special emphasis on the founding fathers. Like most New England communities, Millbury originated in the painstaking work and bitter sacrifice of pioneer settlers. On April 19, 1775, the alarm from Lexington reached the mother town of Sutton and 11 minutemen immediately rallied to the cry for aid from the embattled farmers and subsequently 56 men from the area served in the Revolution. During the Civil War, Millbury furnished 346 men, which was 26 over the town's quota. In World Wars I and II and the Korean war, Millbury men fought and died on battlefronts far from home.

The Millbury of today embodies these same pioneer qualities of outstanding leadership, patriotism, and devotion to basic values and fundamental institutions and I am very proud that this great community with its capable, public-spirited leaders and devoted and loyal people is a part of my great congressional district.

Millbury, after 150 years of progress and accomplishment, looks to the future with vibrant confidence born of its illustrious heritage and past successes, inspired by an able and vigorous leadership and sustained by a loyal and devoted people.

I predict that Millbury will continue to move ahead in growth, progress, and prosperity in the years to come, ever growing stronger in a material sense and ever preserving and enhancing that quality of spiritual dedication for which it is noted and which will continue to engender in its citizenry those close ties of loyalty, respect, and affection which are so essential to American community life and so valuable in safeguarding the

fountainhead of American enterprise and freedom.

Mr. Speaker, I am privileged to introduce in the House a special resolution bringing attention to the 150th anniversary of Millbury, which I have had the honor to represent in Congress for more than 20 years, and extending the congratulations of the House to the people of this fine community. Under leave to extend my remarks, I include the text of my resolution in the CONGRESSIONAL RECORD:

H. RES. 404

Whereas the year 1963 marks the one hundred and fiftieth anniversary of the incorporation of the town of Millbury, Massachusetts; and

Whereas from the time of settlement in 1716 the people of Millbury have figured conspicuously in the founding and growth of this Nation; and

Whereas the observance of the one hundred and fiftieth anniversary of Millbury is being celebrated during the week of June 16 with impressive community ceremonies which will attract many visitors to central Massachusetts; and

Whereas Millbury is a progressive community rich in historic interest, distinguished for its fervent civic spirit, and faithfully devoted to American institutions and ideals: Now, therefore, be it

Resolved, That the House of Representatives extends its greetings and felicitations to the people of Millbury, Massachusetts, on the occasion of the one hundred and fiftieth anniversary of this community and the House of Representatives further expresses its appreciation for the splendid services rendered to the Nation by the citizens of Millbury during the past one hundred and fifty years.

PRAYER IN OUR PUBLIC SCHOOLS

Mr. FUQUA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FUQUA. Mr. Speaker, on Monday of this week the Supreme Court of the United States rendered a decision, a decision which strikes a blow at the very heart and essence of America—its spiritual heritage.

For as the Supreme Court spoke, it barred from the public schools both the Lord's Prayer and the Bible. It ruled that the reading of the Bible and the recitation of the Lord's Prayer in our public schools is unconstitutional.

As I watched a number of television newscasts that evening following the decision, a number of commentators said that Members of Congress had not raised a sharp cry of protest as in the New York case in 1962. I think we hardly had time to do so, but I feel that a deep feeling of shock is in many of us, and I for one proudly raise my voice in protest.

This is the Nation which Lincoln declared "Under God shall have a new birth of freedom," this is the land which places upon its currency the legend "in God we trust," a land which was built by a deeply religious people.

I need not remind you that only a few short weeks ago, Astronaut L. Gordon Cooper stood in this House and uttered again the prayer that he had given while on his historic flight. Contrast this if you will with the Russian Cosmonaut who mocked after he descended that he saw no God up there.

I think this is the fundamental difference in our two nations, the difference between freemen and those who live under atheistic communism. And I believe our deep religious faith has sustained this land.

The first amendment to the Constitution provides that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." This provision was adopted so that no state religion could be adopted, and with this principle we all agree.

But we do not agree that the simple recitation of the Lord's Prayer and the reading of the Bible violate the Constitution. Justice Stewart in his dissent in the New York case in 1962 said that the Court had "misapplied a great constitutional principle." For him, the question presented by the case was whether "those pupils who wish to do so may join in a brief prayer at the beginning of each schoolday."

In writing for the majority in the present decision, Justice Clark conjured up all sorts of dreadful prospects if the Court should allow prayer to be said in the public schools. He said that this departed from the concept of a government that must be neutral in religious matters. Why so long in finding this out?

It seems to a great many of us that it is quite a different thing to say that the Constitution forbids one child, who may wish to do so, to recite the Lord's Prayer in a public school, merely because some other child, who does not want to pray and who is not required to pray, objects.

I, and many of my colleagues, have introduced bills to amend the Constitution to allow prayer in the public schools. They await committee hearing. Under this latest ruling, I would say it is doubly important that they be given a hearing and begin moving.

The Constitution was adopted by men, and in my personal opinion has been woefully and willfully misinterpreted, and it has been and can be changed by men.

And I say that we need that change, and we need it now. We need to allow our schools to continue these short devotionals.

This is a very real challenge for us today as Members of the Congress. Let us live up to that challenge. Let us begin to move here and now to pass this constitutional amendment to allow prayer in our public schools.

And then let the people of these United States through the due process of law have the opportunity to speak on the subject. Religious freedom must be protected, but this decision is religious oppression and it was never intended that it be thus by the founders of our land and the framers of the Constitution.

I hope we will be able to get a bill before the House for a constitutional amendment to rectify this mistake.

POSTAL GUIDELINES PROGRAM SHOULD BE ABOLISHED

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, the following is my testimony before the Postal Operations Subcommittee in opposition to the continuation of the guidelines system in the Post Office Department:

STATEMENT OF HON. ABRAHAM J. MULTER BEFORE THE POSTAL OPERATIONS SUBCOMMITTEE, HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE, JUNE 18, 1963

Mr. Chairman, to anyone concerned with the rights and dignity of man, the latest work measurement system put into effect by the Post Office Department is an affront. It is a system which takes no account of the human element and postal clerk morale has suffered badly as a consequence. The United Federation of Postal Clerks has made repeal of this system its most important issue this year and has turned to the Congress for aid.

The postal clerks have been forced to involve the Congress as the Post Office Department has refused to negotiate the issue. Although the federation has obtained exclusive right to represent all postal clerks nationally on working conditions and other matters, the contract signed March 20 ignores work measurement. Perhaps the Post Office Department feels that this system is a part of management "rights" or "prerogatives." But any system which has aroused so much hard feeling among loyal employees merits negotiation. Industrial unions have been able to bring similar issues into the bargaining sphere and the Post Office's attitude seems unduly rigid.

Let me quote a few references to this system by the affected postal employees in various sections of the country. The president of the postal clerk union in Boston said that "* * * the use of entirely unrealistic standards has caused a new low of employee morale in the post office. The honest and hard worker who for many years has given the Department good production is being discriminated against due to the unrealistic standards and the deceit of fellow workers who have less scruples in the means they employ to secure production slips." A postal clerk from Worcester, Mass., writes "* * * that this system has been a destructive double-talking instrument that has said what it didn't mean, and meant what it didn't say * * * it has inflicted an injustice and disservice to every distributor in the postal service." A Columbia, S.C., local felt "* * * that this system can lead employees into a mental state that may result in individual nervous disorders." Seattle, Wash., clerks call the system a "* * * hateful and unfair practice of individual harassment." Members of a Brooklyn local paraded in our National Capital carrying placards which demanded the burial of the guidelines. Surely this is an authentic grassroots cry for redress.

Why has the Post Office Department inflicted this system upon its workers? It claims that it would have to spend $100 million more a year if the work measurement system were eliminated, but this estimate is open to question. Frankly, I do not believe it. How much money is spent to operate this system—to count and tabulate, to revise and restudy standards? In some cases employees have been told that standards which have been heretofore vigorously defended by management are to be changed. Of course, most of these standards are changed in the upward direction, sometimes as much as 15 percent. How accurate and scientific is such a system?

The fallacy of all work measurement systems from the time of Frederick Taylor, the

pioneer of the scientific management movement, is the failure to take into account the individual differences of workers. Taylor's standard of the "quickest time of the most expert men" is no longer used, but some of the current standards are as open to question. They all assume that there is one best way for all of the workers performing the task. They all proclaim that they are scientific but fail to prove it.

An Assistant Postmaster General, Mr. Frederick C. Belen, in testimony before House Appropriations Committee hearings last February, stated his belief in the superiority of the Post Office measuring system over that carried on in private industry. "I think," said Mr. Belen, "in almost every instance where a job is measurable, private enterprise measures it, but I do not think it is done as scientifically or on as widespread an area as we do. I believe that we have the largest work measurement system that exists." Perhaps the Post Office does have the largest system but that hardly proves that it is the best or the most scientific. Indeed, the Post Office has had to abandon national standards in favor of local standards. Applying generalized data to specific widespread operations must have been too much even for the Post Office's superscientific staff.

What basis does the Post Office have for thinking that its work measurement system is more scientific than those existing in industry? Industry assembly lines work with standard components and products but the product of the Post Office is not uniform. The legibility of addresses will vary. The size and thickness of letters will vary. Business metered mail is often presorted. One clerk was able to sort at a rate 250 percent above the standard by handling metered mail. Also, the Post Office cannot control the volume of mail handled as a manufacturing plant can control its output. Post offices must service the mail as it comes in. All of these variables make it highly unlikely that Post Office standards can ever be the same as those of industry.

Over the years, the Post Office has had a number of systems; WPS, work performance standards, BMT, basic motion time study, and equated pieces of mail production, EPOM. All of these purported to be accurate and scientific, yet they were all superseded. The newest system is an outgrowth of the other systems and it is still a work-counting system and a speed-up.

It seems to me that the speed-up aspects of the current Post Office work measurement system were admitted by Mr. Belen in another part of his testimony. "Basically," he said, "what we have is a system that measures units. The individual is only measured 25 percent of the time. We find there is a definite increase in productivity during the individual count week. Now, we do not propose to say that they could maintain that for 4 weeks in a row." If an individual is forced to work at a pace 1 week exceeding what he can possibly be expected to maintain for a month, it seems to me that this is certainly a speed-up. Furthermore, Mr. Belen admits that 99 percent of the postal employees are doing a good job. Why, then, have a work measurement system costing millions to maintain? Just to find the 1 percent or less who are doing a poor job? This tiny minority always finds a way to beat the system, as their fellow employees have pointed out. An elaborate system is not needed to ferret out this type of employee. Firm supervision will do the job.

The Post Office Department has to cope with an increasing volume of mail, and it is all well and good to look for ways to increase productivity. The human element, however, must never be forgotten. A high morale is essential to high productivity.

In the past the Congress has demonstrated its concern for the workers affected by work measurement systems. A bill was passed in 1915 which provided that no Federal funds could be used to pay anyone "making or causing to be made with a stopwatch or other time-measuring device" a time study. Today stopwatches are no longer used, but the aim of the work measurement system is the same—to impose rigid standards upon workers. I join with my many colleagues who have already expressed disapproval of these standards. The Congress must act to remove this system which has been so damaging to the morale of the postal clerks. It is doing no good. It is doing a great deal of harm.

PUBLIC LAW 78, THE BRACERO ACT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, this House was recently urged to grant a 2-year extension to Public Law 78, the Bracero Act.

This House in its wisdom saw fit to reject the extension. I should hope that we will reject any extension of this law. One of the reasons is that this act perpetuates a kind of peonage.

How this can happen was described some years ago by a man familiar with this program. This man, the Most Reverend Robert E. Lucey, archbishop of San Antonio, wrote:

The life of a Mexican national working in American agriculture is not all sweetness and light. On paper he is protected by the International Agreement and the standard work contract approved by our Government and that of Mexico. Wages, food, housing, collective bargaining, and guaranteed employment are all covered in these documents. Take, for example, the question of wages. The International Agreement states: "The Mexican consulate and the representatives of the Secretary of Labor will be given a reasonable opportunity to ascertain that the Mexican worker has been paid all amounts due him under the work contract or this Agreement." Mexican consuls are not numerous and the representatives of the Secretary of Labor are chiefly compliance officers who are few and far between. If a bracero is cheated out of half of his wages and the nearest Mexican consul is 300 miles away, just what does the poor bracero do? Should he start walking around the country, looking for a compliance officer? And what about his job when he takes a walk?

But even if the woods were full of consuls and compliance officers, the Agreement would be unworkable. The bracero is a stranger in a strange land. He does not speak our language. He needs work desperately to live and to send a few dollars to his family in Mexico. He is practically defenseless against the greed and rapacity of an unscrupulous employer. He may be compelled to live in a filthy hovel without heat, without a blanket, without a decent bed. He may work 12 long hours for 6 hours' pay. Or he may encounter bad weather and have no work at all, not even the work guaranteed by his contract. Yes, he can complain to his employer but he had better not say too much because he can be fired and returned to Mexico. And so the poor bracero, compelled by force and fear, will endure any sort of injustice and exploitation to gain the few dollars that he needs so desperately. This is our national disgrace.

CIVIL RIGHTS PROPOSALS

Mr. ABBITT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Speaker, I am bitterly opposed to the so-called civil rights proposals of the President. Most of them tend to expand unreasonably the powers of the Federal Government over the rights and privileges of the vast majority of the citizens of our Nation. In an effort to give favored treatment to a small minority, the proposals, if enacted into law, will deprive the majority of the right to choose their associates and give to a favored minority special privileges and preferred treatment.

In addition, some of the proposals deprive citizens of the right of the free use of their property and are clearly unconstitutional. They are an invasion of the personal liberty and freedom of the people guaranteed under the U.S. Constitution.

The proposals are an attempt by the administration to buy the political support of an organized minority to the great detriment of the overwhelming majority of the people of this country. It is a sellout of our freedom which has meant so much to the peace and tranquillity of our country.

I propose to fight these proposals to the last ditch in the hope that the people of America will awaken to what is happening before it is too late. It is an attempt to set up a small minority of superclass citizenship. We must not let this happen.

THE OIL INDUSTRY

Mr. PURCELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PURCELL. Mr. Speaker, two recent actions have dealt severe blows to the vital oil industry of this Nation. These two actions have seriously disturbed me because of the serious situations which already have engulfed this industry in a struggle for economic survival.

The first of these two disturbing events was Presidential Proclamation No. 3541, which appeared in the Federal Register on June 13, 1963. This proclamation had the effect of increasing oil imports, according to my information, by about 28,000 barrels per day effective July 1 over what these imports would have been in absence of the proclamation.

Acting under section 232 of the Trade Expansion Act of 1962, the President proclaimed that, effective July 1, 1963, "the maximum level of imports, subject to allocation, of crude oil, unfinished oils, and finished products other than residual fuel oil to be used as fuel shall be an amount equal to the difference between 12.2 percent of the quantity of

crude oil and natural gas liquids which the Secretary of Interior estimates will be produced in these districts—I–IV—during that allocation period and the quantity of imports * * * which the Secretary of Interior estimates will be imported into these districts during that allocation period."

The effect of this proclamation, as I said, will be to increase the imports of oil by about 28,000 barrels daily over what the imports would have been in absence of the proclamation.

To say the least, I am very disappointed by this latest development in favor of foreign oil interests and further discriminating against the domestic oil producers on whom we must depend for oil supplies in event of national emergency. This further move toward deterioration of the domestic oil industry is part of a long-range trend which must, in the interests of national security, be reversed before our ability to find and produce oil domestically is irreparably impaired.

The second disturbing event was the action earlier this week by the Committee on Ways and Means to increase the tax burden on the oil industry by approximately $50 million per year.

On June 10, the committee had wisely decided to reject the administration proposals relating to the carryover of deductions for intangible drilling and development costs, aggregation of oil and gas properties, and foreign operations.

Then, on June 17, the committee reversed its field and tentatively approved language under which "gain on the sale or exchange of mineral interests would be treated as ordinary income to the extent that intangible drilling and development costs which have been expensed are attributable to that portion of the property still remaining in the ground. The provision would apply in the case of intangible drilling and development costs in the case of oil. This does not apply to depletion taken or deductible exploration costs. Remaining gain would be treated as capital gain, and eligible for the 30-percent inclusion factor where the property had been held for 3 years or more.

According to the Treasury Department, this tax revision, if adopted, would result in a tax increase of $20 million on the oil industry. The very nature of the oil business and this particular provision will result in almost all of this tax load being placed on the small oil operator who can least afford it.

The other provision adopted by the committee relates to the aggregation of oil and gas property. The recommendation of the administration was tentatively approved by the committee. Treasury estimates that this provision would result in an added tax burden to the oil industry of $30 million per year.

Under this provision, the operating unit rule of present law in the case of oil and gas properties would be eliminated, and instead of this, the taxpayer could either maintain separate deposits as separate properties or could elect to combine all deposits falling within a single lease or acquisition, but could not combine different leases or acquisitions. An exception would be permitted to the lease rule where an oil or gas producer enters into a so-called unitization agreement.

Mr. Speaker, as I told the Committee on Ways and Means when I appeared before them in opposition to the oil-related tax proposals on March 27, 1963, the oil industry now enjoys only average profits when compared with other industry. This industry must compete with other industry for capital. These new tax burdens, if adopted, would decrease the profits of the industry, and make it more difficult for the oil industry to obtain vital new operating capital.

This involves much more than just a decrease in profits. Far more than just a loss of jobs in the oil industry is involved. As I told the committee:

> It involves the possible loss of jobs in steel mills and fabricating plants; the loss of cement sales, machinery sales, truck sales and corresponding losses in many other areas.
>
> Oil producers would find it less attractive to reinvest their own money in oil ventures. They would find it increasingly difficult to attract the outside risk capital that now contributes to their operations. The seriousness of the resulting slowdown in drilling activity would grow as the Nation's burgeoning demand for energy bit deeper and deeper into our presently held reserves.
>
> Eventually, to rekindle interest in drilling, prices would rise and the consuming public would feel the real impact of the change in the tax laws.

Unquestionably, Mr. Speaker, any governmental actions that depressed our petroleum producing industry would jeopardize the Nation's future safety. In case of war we must have enough oil available to assure victory. In other short-of-war emergencies, such as Suez, our domestic producing capability might well be invaluable.

Lest we forget, the Soviet Union is trying to force its way into many free world oil markets long served by American concerns. This Russian activity is politically inspired. They are obviously attempting to use their growing supplies of crude as an offensive weapon in the cold war.

Any change in the tax laws which would further impair our oil producing capacity in the United States is clearly not in the national interest Any such change would clearly be in direct conflict with our goal of stimulating the national economy. Any such change would damage our cold war position by reducing our capacity to find and produce this vital product, petroleum.

Mr. Speaker, my fervent hope is that the Committee on Ways and Means will again reconsider their position on this matter and adopt their original position of rejecting the whole package of oil-related tax proposals. It is my further hope that the trend of Executive action indicated by Presidential Proclamation No. 3541, and other actions in this area in the past, will be quickly reversed, and that we will see future actions reserving an adequate portion of the domestic petroleum market for the domestic producing industry.

Thank you, Mr. Speaker.

MEXICAN LABOR

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GUBSER. Mr. Speaker, because Public Law 78 was not extended by action taken in this Chamber, the California strawberry industry is in very serious danger. I should like to point out that this is a $35 million industry which provides $28 million in income to other industries that serve the growers of strawberries.

I have today received a letter from a very reputable grower and shipper of produce, including strawberries, Mr. W. C. Day, of Day & Young, Inc., in my congressional district. So that Members may have the benefit of the views expressed in this letter, I am including it in my remarks. It reads as follows:

> DAY & YOUNG, INC.,
> *Santa Clara, Calif., June 17, 1963.*
>
> Hon. CHARLES S. GUBSER,
> *Representative in Congress 10th District, House Office Building, Washington, D.C.*
>
> Believe me CHARLEY: The recent action relative to Public Law 78 has thrown your good district into quite a turmoil. I can't see why our California Congressmen failed to realize the importance of Mexican labor in continuing that tremendous agricultural activity we have here.
>
> I am referring not only to agriculture generally but to strawberries in particular. For your information the strawberry crop of California is worth about $35 million a year. Then when one considers others who live off the California crop such as local field labor, shipping carton manufacturers, freight, express, plants fertilizers freezing industry, it amounts to another $28 million.
>
> I am only dealing with the strawberry industry because with that I am more familiar. I don't believe enough local labor could be accumulated to handle a crop of strawberries 10 percent the size of our present industry.
>
> I certainly hope you will throw all of your weight behind this thing for a reconsideration to make possible reimportation of the Mexican braceros in future years. You will doubtless receive many letters and you will obtain information relative to many other row crops requiring men that will spend the day with their bodies in the shape of a horse shoe and believe me there's no local men that will do it.
>
> I don't think you could perform a finer service for your district nor for California generally in agriculture then to exert your very best efforts toward a reconsideration which might result in an extension of Public Law 78. I do not hesitate to bring this to your attention and I haven't bothered you very much but this is so very important to agriculture that I felt sure that some letters from your constituents would be in order.
>
> I enjoy your letter which has reached me regularly and I believe you are doing a fine job.
>
> Very sincerely yours,
> W. C. "JERRY" DAY.
> DAY & YOUNG, INC.

THE UPSET VICTORY IN CALIFORNIA—A TRIBUTE TO CALIFORNIA VOTERS AND TO BOB WILSON

Mr. ROUDEBUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, the election of Republican Del Clawson of Compton, Calif., to fill the vacancy in our ranks created by the untimely death of our distinguished colleague, Representative Clyde Doyle, is significant.

It is significant because this was another seat which the Republicans were not supposed to win.

Above and beyond the outstanding qualifications of the Republican candidate, Del Clawson, and the dedicated, hard working organization which turned out the votes for his victory, we must not lose sight of the role of the gentleman from California, Congressman BOB WILSON who fills a hard and difficult position as chairman of the National Republican Congressional Committee which coordinates the activity behind every Republican congressional campaign and particularly those where special elections are necessary.

You can look at the outcome of elections like this and know how effective the gentleman from California, BOB WILSON, is in directing his committee. In this particular instance he led other Californians in developing a plan and strategy which resulted in victory. You can be sure that on our side of the aisle, we are deeply grateful for his leadership.

Two other factors stand out in this election: One is the presence of President Kennedy in California immediately before this election. This is a setback to his prestige and to his programs. A predominantly Democratic district has elected a Republican in the face of President Kennedy's visit to the scene. This brings us to the other factor which is the good judgment of the California voters to whom I wish to pay tribute. They have expressed an independence of the outside influences which are brought to bear in elections of this kind and they have exerted good common sense in the Lincolnian tradition by electing Del Clawson.

THE LATE CARL BROWN

Mr. ROUDEBUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, the Watershed Letter of the National Association of Soil and Water Conservation Districts for June 3, carries a tribute to the late Carl Brown, an authority on watershed protection and flood prevention for the U.S. Department of Agriculture.

Before his death, Carl Brown was of inestimable service to my staff and me in drafting many of the details of the "Mission '76" program which I am promoting to complete all of the Nation's major watersheds by 1976 instead of year 2000 as originally proposed.

It is appropriate, therefore, for me to join in this recognition of Carl Brown's great contributions to watershed development by placing in the RECORD the tribute which was carried in the Watershed Letter:

A TRIBUTE TO CARL BROWN

Early last month the watershed movement lost one of its true champions—Carl B. Brown, who died in Washington, D.C., following a heart attack. A tribute was paid to Carl, who was assistant to Hollis R. Williams, Assistant Administrator for Watersheds in SCS, at the 10th National Watershed Congress in Philadelphia. Presented at the opening general session by C. R. "Pink" Gutermuth, vice president of the Wildlife Management Institute, this tribute expresses in words more fittingly and eloquently than ours, the feelings of thousands about Carl's most untimely death. The tribute:

"This is our 10th National Watershed Congress in 9 years.

"But long before we first met—many years before—a young man dedicated all his days and most of his nights to the idea in which we have been joining for a decade.

"The young man was Carl B. Brown. The idea, of course, was the management and treatment of our small watersheds—the long neglected area that lay between our vast programs for water resource development in major river basins and the soil and water conservation programs for individual landowners.

"Carl Brown, still a young man at 52, died suddenly on May 5. The gap left by his departure is fully as great as the gap filled by the small watershed program.

"Carl Brown was a brilliant young man in a hurry. He earned his first college degree at the age of 18 and a graduate degree at 20. By the time he was 24 he was nationally recognized as an authority on sedimentation. His career was marked by what engineers and scientists, even when they opposed him characterized as 'the highest level of professionalism.'

"More than any man, Carl Brown deserved the title of 'Mr. Watershed.' He earned it during 20 years of factfinding and studying and dreaming and speaking and writing and cajoling.

"He earned it at endless conference tables amid debates and agency discussions. He earned it in the dark hours of the night at home, pouring into a dictating machine new ammunition for a cause that so often appeared to be lost.

"He earned it as one of the principal architects of history-making legislation that gave life to the small watershed idea. He earned it before the committees of the Congress and in the privacy of the offices of influential men who learned from him, as indeed did we all.

"He earned it by continuing to the day of his untimely death complete devotion of mind and heart to the daily implementation of the program, to improving it by legislation amendments, to defending it from its attackers, to making it work better.

"Most of Carl Brown's adult life was given to this cause. Perhaps, as he gave to it, so it also took from him and lessened his days upon earth.

" 'Mr. Watershed,' we pray that you rest in peace."

CIVIL RIGHTS

Mr. ROUDEBUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HORTON. Mr. Speaker, I am pleased to note the President's support of a number of civil rights proposals whose enactment, I feel, is essential to the welfare of this nation.

Early this year, when I introduced the first of two civil rights bills, I urged that Congress extend greater legal protection to those being denied their Constitutional rights. Recent events have made the prompt passage of such measures assuring equal protection of the laws even more imperative.

The time for talking is over. The time for action is here. Let us lay aside whatever political, social and economic differences that divide us and unite in providing the necessary legal tools which will guarantee all citizens the rights which are inherently theirs.

I accept the challenge to stay in session until such legislation is enacted. No domestic issue holds higher priority.

UNITED STATES-HUNGARIAN POLICY

Mr. ROUDEBUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. WYMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WYMAN. Mr. Speaker, this Government's policy toward Hungary has long been of concern to me, going way back to the time that Winston Churchill recommended that we invade through the Balkans. Had we done this, there probably would never have been the dismal record of satellite suppressions by the Soviet Union that have been the fate of the Balkan peoples.

I believe that it was wrong for us, through Radio Free Europe, the Voice of America, and in many other ways, to encourage peoples in satellite nations to rise up and rid themselves of communism only to do nothing to give military help when this happened in Hungary. It seems to me that if it is to be the policy of the Western World to encourage peoples living crushed under communism's heavy heel to rebel against communism that it should also be the policy of the Western World to be prepared to give material assistance if this should happen as it did in Hungary.

We were no more prepared with a definitive and realistic policy for the Hungarian uprising than we were for the contingency that a U–2 might be shot down over the Soviet Union. America's handling of foreign policy ever since the end of World War II has, for the most

part, comprised an astonishing series of grievous errors that in any ball game would probably result in a new manager. Amazingly, however, the propaganda mills of the State Department as well as those of the White House, under whatever administration, have succeeded in persuading too many Americans that retreat has been victory, appeasement has been progress, and compromise of principles has been statesmanship.

Recently, rumor had it that this country's policy toward the present Hungarian Government might change again. With this in mind, on May 16, 1963, I wrote to the Secretary of State affirming my personal opposition to recognition of Communist governments anywhere and particularly the Hungarian Communist Government. Yesterday, June 18, more than a month later, I received a reply from Assistant Secretary of State Dutton that I believe is of interest to the House in relation to Hungarian affairs. This correspondence read as follows:

MAY 16, 1963.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: A recent flurry of news reports and rumors hint there is thought of resuming full diplomatic relations with Communist Hungary on the part of the U.S. Government. One Associated Press reporter stated that congressional sanction is not necessary to restore full diplomatic relations with Hungary.

I would appreciate it if you would advise me whether or not this is so; (a) That the Department is considering such recognition, and (b) that it requires no congressional sanction.

I am unalterably opposed to recognition of Communist governments anywhere, and most particularly the Hungarian Communist Government. I believe it is a blot on our honor that we should have encouraged the Hungarian people to rise up and rebel against communism only to fail to help them in their hour of need. Whether by way of Radio Free Europe, Crusade for Freedom, or whatever means, it has long been implicit in our policy that we would help our friends. To me, our failure to do so in Hungary is just one more illustration of the kind of wizening up of American character and principle that has reached alarming proportions in the last 15 years.

I do most sincerely urge upon you never to let it be a part of the record of your administration as Secretary of State that you recognized a Communist government as a lawful Government of Hungary.

Respectfully,

LOUIS C. WYMAN,
Member of Congress.

DEPARTMENT OF STATE,
June 18, 1963.

Hon. LOUIS C. WYMAN,
House of Representatives.

DEAR CONGRESSMAN WYMAN: The Secretary of State has asked me to reply to your letter of May 16 in which you express your opposition to recognition of and restoration of full diplomatic relations with the Hungarian Government. The Department appreciates your interest in this matter and welcomes the opportunity to discuss the questions that you have raised and to clarify the U.S. position in the Hungarian situation.

Recent developments in Hungarian affairs do not, in fact, involve any question of recognition or resumption of diplomatic relations. At the end of World War II, the U.S. Government recognized and entered into diplomatic relations with the Hungarian Government. Although there have been various government changes in Hungary since that time, U.S. recognition has never been withdrawn, and there has been no interruption or suspension of diplomatic relations with Hungary. The American Legation in Budapest has remained in existence and in operation throughout the period since 1945.

At the time of the Soviet armed suppression of the Hungarian national uprising in November 1956 and during the period of harsh internal repression that followed the Soviet intervention, the U.S. Government withheld the accreditation of its minister who had arrived in Budapest immediately prior to the Soviet attack. Subsequently, in February 1957, this Government withdrew him from Hungary. The American Legation in Budapest has since been headed by a Charge d'Affaires ad interim, as has the Hungarian Legation in Washington. In the period since 1956, United States-Hungarian relations have been subject to strain and have remained generally inactive and minimal in all fields.

It is the Department's view that the reduction of bilateral relations to minimal levels after the events of 1956 and the pressures brought to bear on the Hungarian Government in the United Nations over the same extended period have served a useful purpose. This course of action, reinforced by the continuing impact of the Hungarian revolution and the by the quiet but persistent efforts of this and other Western governments through diplomatic channels to encourage the Hungarian Government to moderate its internal policies, has undoubtedly helped to bring about the favorable developments and changes which have improved the lot of the Hungarian people during the past 2 years and made their situation comparatively better than that of the peoples in other Soviet bloc countries except Poland.

It is true, of course, that the present Hungarian Government was imposed on the Hungarian people by Soviet armed intervention in 1956. But it is equally true that the harsh regime of Matyas Rakosi, which usurped power in Hungary in 1947 from a freely elected government and ruled by repression and terror until 1956, was also imposed as a result of Soviet duress and Soviet intervention in Hungarian internal affairs. Moreover, the Communist governments in the other Soviet bloc states of Eastern Europe, no less than the Government in Hungary, were forcibly imposed on the peoples of those states, owe their existence to the support of Soviet power, and (except for Poland) are no less subject to Soviet domination. The continued U.S. recognition of and maintenance of diplomatic relations with the Hungarian Government is not, therefore, of essentially different aspect than continued U.S. recognition of and maintenance of diplomatic relations with other Soviet bloc governments. The maintenance of diplomatic relations at any level with these governments in no way signifies U.S. approval of the origin, character, or policies of these governments. The U.S. Government has clearly and repeatedly affirmed that it does not accept the status quo of Soviet domination in Eastern Europe as a satisfactory or permanent condition of affairs in that area.

The situation in Hungary, as in Eastern Europe generally, is not a static but rather an ever-changing situation. In such circumstances, it is a basic U.S. concern, in advancement of U.S. interests and the just aspirations of the Hungarian and other Soviet-dominated peoples, to utilize all appropriate opportunities for maintaining and broadening U.S. contacts with these peoples, for manifesting continuing interest in their welfare, and for making the U.S. presence and influence felt in that area in as many effective ways as possible.

The future course of U.S. bilateral relations with Hungary will depend on many factors and developments, and we do not anticipate any dramatic or sudden changes in this regard. In the further examination and consideration of United States-Hungarian relations, however, it is reasonable that this Government should regard those relations as subject to adjustment as conditions and developments may warrant from the point of view of U.S. interests and advantage. As this suggests, the Department has no plan to send a Minister to Budapest at this time. You know, of course, the President appoints Ministers by and with the advice and consent of the Senate.

There is a further point raised in your letter that the Department believes may reflect some misunderstanding and should, therefore, be clarified. This concerns your expressed belief that it is a blot on our honor that we should have encouraged the Hungarian people to rise up and rebel against communism only to fail to help them in their hour of need.

The U.S. Government at no time encouraged the Hungarian people to open and violent rebellion. The 1956 Hungarian uprising did not result from incitement to revolt from abroad but rather, as the findings contained in the authoritative Report of the Special Committee on the Problem of Hungary (United Nations General Assembly Official Records: 11th Session, Supplement No. 18, Document A/3592, New York, June 1957) make clear, was entirely indigenous and spontaneous in origin and character. In concluding its report, the Special Committee stated:

"What took place in Hungary in October and November 1956 was a spontaneous national uprising, due to long-standing grievances which had caused resentment among the people. * * *

"The thesis that the uprising was fomented by reactionary circles in Hungary and that it drew its strength from such circles and from Western imperialists failed to survive the committee's examination. From start to finish, the uprising was led by students, workers, soldiers, and intellectuals, many of whom were Communists or former Communists. * * *

"The uprising was not planned in advance. It was the universal testimony of witnesses examined by the committee that events took participants by surprise."

Upon the outbreak of the uprising, this Government did affirm its belief in the justness of the Hungarian people's cause and of their aspirations for national independence and freedom. It played a leading part in placing the Hungarian case before the United Nations and in organizing and supporting humanitarian relief assistance and refugee resettlement measures aimed at alleviating the suffering of the Hungarian people. We believe that these and other actions taken by this Government in the circumstances existing at that time were entirely consistent with our national honor and principles.

If I can be of any further assistance to you, please do not hesitate to let me know.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

Mr. Speaker, though the refinements of the sophisticated phraseology of this letter imply that American policy in relation to Hungary is not about to change,

there is nevertheless the implication that because the U.S. Government at no times encouraged the Hungarian rebellion, and spoke in protest on behalf of the Hungarian people in the United Nations after the rebellion had aborted, that we should get some kind of a medal.

The process of training for expertise in international diplomacy is a long and complicated road. Unfortunately, many who take this road seem to lose sight of where they are going. They do not see the forest for the trees. Here I fear that we fail to recognize that the only course for America that can assure the world's respect for our leadership is a course in which our devotion and adherence to the fundamental principles of freedom and justice for all shines clear as a beacon light. Firmness in decisions to stand up for freedom has been so notoriously lacking in the policies of the Department of State it is difficult for us to claim much credit in world leadership. In Guatemala, in Lebanon, in Quemoy and Matsu, and in Formosa, yes. But almost everywhere else it has been compromise, surrender, or outright appeasement.

This country can honestly derive little satisfaction in being the champion in the U.N. of once freedom-loving but now dead Hungarians. Our policy must be changed so that we will not engage in diplomatic relations with Communist gangsters and murderers whether the interchange is in the form of an embassy or a legation. We must let the peoples of the world know that we stand with those who are ready to fight and give their lives for freedom and that we will help them in their struggle, not just by applause from the sidelines, but as an actor like F.D.R. was with lend-lease.

Our sorry record of pussyfooting with halfway measures or excuses for failure to fight for freedom in the face of one showdown after another should be ended once and for all. Within the Department of State are hundreds and hundreds of personnel whose contributions to these sorry policies are a matter of record and who continue to influence these policies every day. I am convinced that it would be in the best interests of this country to shake up this Department radically and to put most of these architects of disaster out to pasture for good.

I fail to see how any of us can derive pride, satisfaction or comfort from the continued gains by the Soviet Union and its bloc in the tremendous struggle for the balance of power in the world. Our sorry performance in Hungary is another unhappy chapter in this book.

DEPRESSED AREAS BILL

Mr. ROUDEBUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SNYDER. Mr. Speaker, much has been said about the recent defeat of the Area Redevelopment Act. As the record will show, I was the only Kentuckian who voted against this legislation. I have been chided in my local press for this action. While usually only objectors write, I have received innumerable complimentary letters and only one lone critical postcard. This is despite much supposed "bad" publicity by my local press.

This criticism of my vote is reportedly because eastern Kentucky is what is called a depressed area by advocates of this legislation. In this connection, the following is just one of the favorable letters I have received:

LONDON, KY., *June 17, 1963.*

Hon. M. C. SNYDER,
House Office Building,
Washington, D.C.

CONGRESSMAN SNYDER: I would like to congratulate you for standing up and voting your conscience on the Kennedy giveaway program, the so-called depressed area bill. You sure voted right. I operate two mining companies and employ about 250 men. It is a tough struggle to stay in business, especially coal business, which we are operating on less than 1 percent profit on sales and investment. We are paying the maximum unemployment insurance 4½ percent. We need at least 50 more men to work but just can't get them, in fact we have the worst labor shortage that we have ever had in all our mining profession. The combined field in Leslie County needs at least 500 miners, yet the Kennedys say we are in a 22 percent unemployment bracket. Does this make sense to you? This section has become a complete welfare State. Unemployment insurance and free food has trained them not to work for a living.

Enclosed in this letter is an article written by me which states facts about eastern Kentucky as I know them. Please do what you can to help straighten this mess out.

Sincerely,

Mr. LEWIS HOWARD.

OCCUPATIONAL DISEASE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. JOELSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOELSON. Mr. Speaker, my attention has been called to a report presented at a joint meeting of the sections on radiology and diseases of the chest of the American Medical Association and the American College of Chest Physicians on June 17, 1963, at Atlantic City, N.J. The study was prepared by Dr. Irving J. Selikoff, Dr. Jacob Churg, and Dr. E. Cuyler Hammond. It indicates to me that we are lagging in the protection of American workers from occupational diseases.

This report studies the problem of lung cancer as well as cancer generally in asbestos workers. It traced the case histories of 632 members of metropolitan locals of the International Association of Heat and Frost Insulators and Asbestos Workers from 1942 to 1962. The report found that the death rate from cancer of the bronchus and pleura was 6.8 times as high among these asbestos workers as in the general white male population of the United States, both age and date being taken into consideration. The report further stated:

> The death rate from cancer of the stomach, colon, and rectum was higher among the asbestos workers than would be expected from the rates reported for the white male population of the United States.

The research paper reported:

> Asbestos exposure in industry will not be limited to the particular craft that utilizes the material. The floating fibers do not respect job classifications. Thus, insulation workers undoubtedly share their exposure with their workmates in other trades and intimate contact is possible for electricians, plumbers, sheet metalworkers, steamfitters, laborers, carpenters, boilermakers, foremen; perhaps even the supervising architect should not be omitted.

This report makes a most valuable contribution. As an author of an occupational safety bill, I am convinced that we must do more to encourage State programs to eliminate the human suffering caused by industrial diseases.

Dr. Irving J. Selikoff is practicing internal medicine in Paterson, N.J., and has done considerable research in diseases of the lung. Dr. Jacob Churg is the director of laboratories for Barnert Memorial Hospital, also in Paterson. Dr. E. Cuyler Hammond is the director of the statistical research at Mount Sinai Hospital in New York City, and their work was supported by the Health Research Council of the City of New York.

ALLOWING DEFENDANTS IN SUITS UNSUCCESSFULLY BROUGHT BY THE UNITED STATES TO RECOVER CERTAIN COSTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. LESINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I have today introduced H.R. 7140, a bill which is designed to allow defendants in suits unsuccessfully brought by the U.S. Government to recover certain costs. This bill would amend title 28 of the United States Code by adding a provision for the assessment of reasonable attorneys' fees and expert witness' fees and, in the court's discretion, any and all other direct or indirect costs that may be occasioned by a successful defendant in any criminal or civil suit initiated by the Federal Government.

My purpose in seeking enactment of this measure is to require the Government to take a hard look at any litigations which it may propose to prosecute. My attention was directed to a case of three companies that last year went to

court and proved their innocence of charges that they had conspired to fix the price of a commodity. They totaled up the bills later and learned that their collective costs exceeded $750,000. If they had not contested the charge, each would have faced a maximum fine of $50,000, or a total of $150,000. It was noted that several other companies in which similar charges were made decided they could not afford the high price of proving their innocence. It was commented that in a sense, because of the high cost of fighting the Government, those companies were robbed of the chance to prove their innocence. Concern was expressed that the Department of Justice might begin to use its power to make less than responsible charges knowing that the accused could not afford to defend itself.

While I do not at this time intend to criticize the present operations of the Department of Justice in this regard, I feel that there should be some law on the books in the event circumstances might develop in which overzealous officials in the Department might use their powers in such a manner.

It is in view of this situation that I feel remedial legislation should be enacted to insure that the Justice Department will wisely and reasonably evaluate any legal case in which it may be involved.

FREE TRADE POLICY

The SPEAKER. Under previous order of the House, the gentleman from Washington [Mr. TOLLEFSON] is recognized for 30 minutes.

Mr. TOLLEFSON. Mr. Speaker, business has shown some improvement recently and the April employment reports indicate that 100,000 workers were added to the employment payrolls in manufacturing industries. However, while total nonfarm employment rose to a plane of 1 million jobs above a year ago, the percentage of unemployment this April stood at 5.7 percent compared with 5.6 percent a year ago—in other words, a slight increase.

This means, of course, that we are not employing workers as fast as they come on the scene as a result of population increase. One reason lies in more and more automation, which spells displacement of workers.

Automation is usually applauded because it reduces cost of production. It was our ready acceptance of technological advancement and mass production that together with some other factors brought us to the forefront in the industrial world. In the past it could always be said that while the installation of laborsaving machinery and equipment temporarily displaced workers, these always found new jobs and before long the increased consumption of the goods offered at lower prices led to such an expansion in production that even more workers were hired.

This was true in numerous instances such as the automobile industry, where new developments, discoveries, and inventions made it possible to reduce costs radically and to sell the output at popular prices. If the demand for the goods was elastic, each significant cost reduction meant a further swelling of consumer demand.

It was in pursuit of this principle, plus recognition of the function of fairness of competition and consumer purchasing power, that we came to lead the world in production.

Yet, the magnetic element in all of this was the confidence, derived from observation and experience, that a business well put together and well run, repaid the struggles, disappointments and hardships encountered on the way. The vision of good profits acted as a strong pulling power from the future to the present; and if all went well the future continued to beckon and to justify effort, alertness, and risk.

The path was strewn with failures but the visible examples of success were sufficiently compelling to keep enterprisers, new and old, forever at it. The results amazed the world. The Second if not the First World War was won by the side that was joined by our industrial power.

Today something is wrong with the smooth working of this principle, but it is not a lack of mechanization and utilization of technology. We are producing yearly more goods with fewer workers. This does not spell industrial inefficiency.

I believe that one source of serious trouble lies in our trade policy. Everyone knows that American costs have been driven to high levels. We had high war costs, foreign aid, high defense outlays, high wages and high taxes. In recent years other countries have begun to follow our footsteps in technology and production methods. We have shipped abroad or exported over $50 billion of modern machinery and equipment in the past 10 or 12 years. With the use of this machinery other industrial countries have greatly increased the productivity of their workers while their wages have continued far below ours.

Import competition began to confront many of our industries with very difficult problems, the principal one being the lower prices at which imports come into this country. These imports knifed right through the domestic market, at first taking 5 then 10 percent and before long 15 or 20 percent and in some cases on up to 50 percent or more.

The cry went up that we must become more efficient; and we did—at least to the extent of displacing over a million production workers from 1950 to 1960 in a score of leading industries. It is true that employment rose elsewhere but it was in the nonproductional activities and in State and local government. These increases were not enough to overcome the losses of production workers, farm labor, and so forth and at the same time offset the number of new workers arriving every year.

Now, let us see is we can detect a difference between the effects of laborsaving installations under the circumstances of the past when the effort was made in response to the lure of a fast-growing market if lower prices were achieved, on the one hand, and the same operation in response to desperate efforts to stay in business, to hold ground already held and to avoid being driven out, not by domestic competition but import competition, on the other.

When industry is driven to automation, not because the market outlook is good but because it is bad, and not as a means of growing up with or opening up a growing market, the effect on employment is vastly different. Imports capture the increase in demand generated by lower prices and domestic industry ends up by perhaps holding its own but with the dividend of net displacement of workers. This becomes a drag on purchasing power and augments a national problem.

If the competition were domestic, at least domestic employment would reap the harvest from lower prices; but inflexible costs prevent domestic producers in many instances from meeting import prices. If they do, they sacrifice profits and reserves for research and development, advertising and reinvestment.

Mr. Speaker, I offer for the RECORD, under leave to extend my remarks, a paper prepared by Mr. O. R. Strackbein, chairman of the Nation-Wide Committee on Import-Export Policy on this important subject. His paper has been referred to as "an extremely orderly and forceful yet reasonable presentation of the subject."

I commend it to the attention of all who are interested in our besetting problem. The paper follows:

FREE TRADE POLICY THROTTLING OUR ECONOMY

(By O. R. Strackbein, chairman, Nation-Wide Committee on Import-Export Policy)

The American economy is or was a dynamic organism. It is or was preeminently an economy of abundance. It will either maintain that characteristic or it will be transformed into a state-governed system in which both dynamism and abundance will disappear. This follows from the very nature of economic dynamism and from its origin in the nature of human demand for goods. Abundance, in turn, depends on the fortunes of an economic system that is essentially self-propelling and self-renewing but inclined to balk if excessively cluttered, burdened or restrained.

All economies are dedicated to the fulfillment of man's needs and desires. These needs are highly variable but may be regarded roughly as falling into two broad categories, namely, the primary and secondary ones. The primary needs, very simply, are those that must be satisfied if man is to subsist.

The secondary needs are those that lie above the minimum level. They may be denied satisfaction without courting extinction but not without withholding from life the gratifications that distinguish man from the lower animals and mark his progress in civilization.

An economy that is dedicated to nothing more than provision of goods at the minimum level is necessarily a static economy. It will do no more than provide food, clothing, shelter and the necessary tools and means of locomotion required to furnish these goods. Its growth is limited by the population it

serves. If the number of people remains the same so will the output of the economy. The latter will grow only in step with the increase in population.

On the other hand, an economy that undertakes to provide means of satisfying the secondary needs and desires has before it great possibilities of growth and ramification. The extent to which it will meet these needs depends on a variety of factors. Some of the most perplexing problems of economics and government arise over this question.

Most economies of the world do much more than merely provide the means of satisfying the primary needs. There are some others, however, that hover close to the subsistence level.

Of all the countries, the United States developed the most productive economic system in the world and has catered most extensively to the secondary needs and desires of the people. This productive explosion became most visible in the first half of the 20th century. As a material civilization this country as a result of this forward surge has hitherto seen no equal.

Strangely enough as a country we were barely conscious of the origin of our industrial and agricultural leadership. As a result it has been too much taken for granted. In fact, some of the most fruitful factors of the combination of elements that together achieved the peak of productivity have been under heavy attack from some quarters. Many heavy-handed efforts have been made to discredit and to clothe with ill repute some of the very elements that have been responsible for the success of the system. It may be granted both that some of the criticism has been innocent and sincere and that some of it was deserved. Nevertheless it would be a most unfortunate retribution to the critics if their notions should prevail and should succeed in deranging our system to the point of perverting its genius in the guise of reform.

To be sure, any system breeds evils; and reform is a necessary accompaniment of progress; but not all that goes by the name of reform is reform. It may entail changes so radical that the system can no longer be what it was or perform as it did. This may be the result even if the reform bore no such intention. At the same time it must be clear that not all reform will be fatal or even burdensome to the economy. The question is how the changes comport with the inner genius of the system.

Obviously this genius must be understood if a judgment is to be made with respect to the soundness of past or prospective changes and reforms.

It is important that the composite elements and nature of the system be clearly set forth.

We have, to begin with, the people who settled this country. The natives who were displaced were not in a stage of development that would soon have produced the phenomena of production that were witnessed here after a few centuries. Therefore the character of the people who displaced the red Indians must be given a great part of the credit; for the rich resources of this country were no less present to the aboriginals than to the Europeans who displaced them.

Nevertheless the presence of diversified and rich resources was necessary to support the productive system that was launched as time went by.

The settlers had a strong penchant for freedom and established a system of government that incorporated freedom as the very essence of its genius. That this was a basic ingredient of success of the system may be concluded from the settlement of other areas of the world equally endowed with natural resources by people who established different systems of government or if they modeled their organic law after ours and hailed freedom as an ideal veered seriously from its mandates in practice. None of these countries achieved the productive apparatus devised in this country, even though they had the example before them for some decades.

We may therefore set down freedom and a government that in practice accepted the restraints of power as constituent and essential elements of the combination that led to industrial and agricultural supremacy.

If we cast about for other elements that were indispensable we will recognize initiative and self-propulsion as characteristic companions of the long period of our development and accumulation. These were but reflections of the motivating forces at work; namely, reasonable assurance that the enterpriser, developer, and exploiter would enjoy the fruits of his visions, labors, and efforts. There are those who think that this assurance was overdone. Yet, to build productive empires needed not only vision, resolution, courage, and aggressiveness but also ambition and a strong ego. To convert a continent of mountains and vast ranges of prairies, forests, and streams, into a tame urbanity in a matter of 150 years needed men of acumen and strong inclination, who used as grist the ruder characteristics of the frontier and the rougher qualities of the untamed.

They smote savages and mountains and drilled through both, deflowered the forests and dammed the rivers, connected the plains with iron and plowed deep the virgin soil. This they did and they built cities and laid the groundwork for a culture and civilization that ironically enough takes their work for granted or even despises them for their rude strength and want of savoir faire. To be sure, they were not idle boulevardiers or cynical drones.

Very well, the land, the soil and the forests, the plains and the streams were rich in potential products. The settlers were people who were already inured to hardship, disciplined in their own fatherlands or motherlands by the ice of winter to stand against privation and to look ahead and to worry; yes, to worry whether the provender from the sparse harvests would carry through the winter or whether the specter of want would pursue them before the sun again turned toward the meridian for enough warmth to kindle new buds and seeds put in the earth for new harvests.

Searching for freedom and thereafter schooled to the marrow in freedom and jealous of its blessings; then devising and building a government designed to preserve freedom and to respect mutual rights; and accepting the responsibilities and restraints of self-government, yet giving to individual competence, skill and capability (with some exceptions) full leash to prove and establish themselves and to build private empires: these assets, too, our people had—and a strong faith.

Yet it will be quickly discerned that even this rare combination was not enough. A complicated machine has many vital parts; without the proper functioning of one part among them it will squeak, grate, rattle, or falter. We learned on the way, after the Civil War, that the tendency to monopoly was contrary to the function that we foresaw or sensed for our economy; namely, the furnishing of more goods to more people who previously had not enjoyed them, i.e., a proliferation and extension of the means of meeting more and more of the secondary human needs. Monopoly power could and probably would stand in the way.

The concept of competition answered to the quest. Competition would keep productive efforts at their highest and the flow of goods to consumers at its greatest volume. Soon we learned, however, that competition as competition was not the total equation: the competition must be fair. We supplemented the Sherman Anti-Trust Act of 1890 with the Clayton and the Federal Trade Commission Acts and other legislation. The purpose was not merely to keep industry doing its best but also to make sure that the lower costs achieved through installation of laborsaving devices and machinery would be passed on to the consumers. In so doing, however, we did not endorse cutthroat competition.

It soon became clear that low prices of themselves will not assure an absorbent market for a mountainous volume of goods pushed out willy-nilly from production lines. The market must have purchasing power. Henry Ford is often credited with perception of this fact—something that now seems obvious. He instituted the $5 per day wage to demonstrate his faith. A people armed with good purchasing power could be converted into a mammoth market if the right product were offered at the right price.

This concept took hold and our production broke all known bounds; but in 1929 as a result of the distortions of war and unwise postwar operations here and abroad we suffered a spectacular crash. The depression following the crash led to much regulatory legislation and the institution of governmental controls in areas that were previously free of them. In many instances the legislation led to increasing costs and less competitive flexibility. One order of legislation, however, was in keeping with the genius of our system. It bolstered the mass-production, mass-consumption concept by removing wages (the most important support of the mass market) from the ravages of unfair competition. The most important of these was the minimum wage law. Outlawing of child labor was another. The tariff was already standard equipment as an outward defense against low-wage competition.

If purchasing power were undermined by employers who paid relatively low wages, as it would be but for the requirement of fairness of competition in the wage field, an important support of our uniquely productive system would have failed. Goods would have crowded our warehouses and shelves while facing a sluggish market. By introducing the element of fairness into wage competition as it had already been introduced into the field of industrial competition, the way was open for expansion of purchasing power, not only as the population grew, but hand in hand with the productive magic of our technology. The cross-fertilization acted as a catalyst; i.e., higher wages enriched the market while costs were lowered through technology. This in turn increased the output of goods at still lower costs thus opening a yet broader market. Previously the lagging of wages always meant the overaccumulation of inventories or stock to the point of a breakdown. Consumption lagged and an economic crisis was frequently the result (with the help of other factors).

Yet, the self-propelling feature that was characteristic of our system needed something more, something already mentioned, i.e., the magnetic drawing force of profits as a reward for success. To repeat, some have said that this reward was overdone but the men of enterprise needed something to draw them on, something to sustain their hopes in the dark beginnings of a new industry or a new product, and something to justify their chafing disappointments and discouraging setbacks as they sought the key to a market that was thought or hoped to

be there waiting for them. These men were not artists, musicians or poets who might be satisfied with the plaudits of their viewers, hearers, or readers.

After all, there was no special honor in being known as a leading sardine canner or maker of rubber tires or talking machines. Also there was no lasting esthetic satisfaction to be gained from contemplation of an accumulation of shovel handles or brooms turned out by the thousands. The reward must be more robust.

The manufacturer is no dilettante or virtuoso and must often come to terms with the very entrails of production, not always pleasant, wherein the processes of tearing, crushing, boiling, shredding, rasping, cutting, stripping, or melting encompass a raw realism that sometimes suffuses the atmosphere with special stench, noise, heat, clatter, dust, and unrelieved grimness in general. The bright products that emerge and give the glitter and gilding to our civilization were unrecognizable in the bowels of the factories and mills, in the course of the processes that smelted out the dross, dissolved raw stock; pressed, extruded or twisted malleable compounds or leeched this material and that out of its original crudeness with hostile and caustic liquids. To court this sort of world calls for a species of nerves and sensory insulation not given to everyone, plus a tangible incentive. Between the esthetic world and the processors of the goods that delight the esthetes there is no early or natural affinity. The latter often express their hostility while the former simply endure it.

Yet it is the uninspiring acts of travail and parturition that set before us most of the esteemed goods that we all, esthetes and commonalty, consume. As the child takes for granted the delights of toys, the delicious magic of varied candies, or the sheen and freshness of new-bought items, so are consumers inclined to take for granted the great array of goods in the show windows, the showcases, on the floors and on the shelves. All manner of desires and needs are excited by these goods, but little thought is given to the effort involved in producing them. Window shoppers spend their budgets many times over in their roaming fancies, usually admiring the goods that are out of their financial reach. In their unthinking wonderment they do provide a measure of the unsated potential demand that greater purchasing power would bring to life.

The teasing through displays goes on, guided by the designers and manufacturers who have mastered the techniques of production and management and are now seeking their justification at the far end; namely, consumer demand, which they seek to excite. Without consumer acceptance the producers could not live. Their initial incentive, profit, would not be fulfilled. Thus the consumers are used in turn as guides to point the way to further production.

As there are many failures of productive enterprise because of misreading of consumer desires, poor management, etc., the abundance nevertheless achieved by our economic system, not only in gadgets and gew-gaws but in the solid appurtenances of civilization, represents a tribute both to the fortitude and persistence of the enterprisers in seeking consumer preferences and the power of incentive.

Erosion of this incentive (i.e., profit, status, and power) would therefore be expected to produce negative and regressive consequences. Since the incentive of profits has provided the element of self-propulsion of our system, for which no satisfactory substitute has yet been found, its function should be taken seriously. It is not simply a callous motive, although it often lends itself to callousness, but represents a magnetism that finds a deep affinity in human character; and instead of being maligned and despised it should be studied and refined. There is an unspoken as well as articulate sentiment in this country, alluded to above, that holds our productive system in contempt, as something crass, ugly, cold, or even offensive. Such sentiment, often held by people who would not soil their hands of expose their sensibilities to the unavoidable offensive aspects of manufacturing processes, is apparently blind to the distance our industry has already moved, not only in providing means of filling needs and desires of a large population, far beyond anything accomplished elsewhere, but moving increasingly toward the satisfaction of the secondary needs and desires, always with progressive (if seemingly slow) refinement, of more and more people. Indeed the degree to which this is accomplished measures the attainment of productive civilization.

Finally, the combination of factors here paraded, still leaves out of account the crucial characteristic that is seated in the nature of demand itself.

It is sometimes assumed that demand is indefinitely expansible. Much mischief may result from this error. The demand for rice or wheat or any of the staples, such as salt, sugar, milk, eggs, meat, etc., is biologically limited by the number of stomachs possessed by the population. This is normally one per person. In a country that is not underfed, the magnitude of demand for these and similar products is limited by the number of people.

No productive system such as the American could be built on a foundation of staple products for which the demand is quite static. Most of these items lie in the field of necessities and fall into the area of primary needs. Much of agricultural activity is devoted to production of such goods. Specialty crops, such as tree nuts, strawberries, melons, artichokes, and spices, are exceptions.

Demand for staple goods is characteristically inelastic; i.e., it does not oscillate much with price changes.

There is, however, a class of demand that is amazingly expansible. This lies in the field of secondary needs and desires. Such demand is usually elastic, meaning that its volume is sensitive to price changes. This is readily understandable when we reflect that disposable income for items beyond the necessities will only reach so far. If prices go up while income remains the same, some purchases must be sacrificed, whereas if prices fall, more goods can be bought. The sacrificial items will fall largely into the luxury or near-luxury field; and it is these that will be bought more freely if prices fall or if income rises while prices remain steady or rise less rapidly than income.

This is preeminently the field that provided the soil for magnification of the American productive system. The attack was on two fronts (1) reduction of costs in relation to the mass income and (2) increase in the volume of such income. This was accomplished in the manner already described.

If an enterpriser had before him an invention or a product for which the demand was unknown, he was faced with a difficult problem, mostly financial in character. How test demand? Demand might appear to be very cold and unresponsive if the cost of the product was too high while it might burst into a bonanza if the price were brought down sufficiently; but how sense this latent response? The solution to the problem called for a strong faith, much patience and fortitude—and money. How bring down the price? This would require new machinery and special equipment. Who would provide this on a gamble that the lower cost would tap a rewarding market? Money is sometimes bold but it is not always on the prowl for palpable risks. It is easily scared off. The sources of its timidity are many. Risk is nevertheless often taken if a handsome reward looms as a fair probability.

If this probability of a reward is offset by external circumstances or if the magnitude of the probable reward is not heartlifting, the risks and agonizing uncertainties will hardly be assumed. Yet again if the outlook is that the reward will be greatly reduced (possibly by governmental action, such as taxation or onerous regulation) or that conditions unfavorable to further success will likely arise, a hesitancy that will sap the vigor of venture will spread.

It was in the production of goods with an elastic demand that American industrial supremacy found its cradle. Since, however, such goods could be and were also produced in other countries without duplicating the highly productive American economy, it follows that elasticity of demand of itself did not generate the American leadership, even if it was an indispensable ingredient.

The OECD (Organization for Economic Cooperation and Development) in a report of April 1962, more nearly laid its finger on the spot. It said:

"The first and basic condition for growth is that private firms should want to grow, and this, in turn depends on their having confidence.

"They need to be confident that they will be able to dispose of increases in output at a profit."

This is a statement that implies understanding of the function of profits in a capitalistic economy and no less the essential role played by confidence in such a system.

The American system, more than any other, spread its ventures into all fields of production supported by confidence that profits would smile at the end of the road if the consumer were approached with a suitable product at an attractive price. Unquestionably the ground on the way was strewn with failures, more numerous by far than the successes. Yet, self-confidence and a knack for business in a variety of men, kept the ventures flowing.

Enough of them flourished to act as examples to others, and the ranks did not thin out but were everywhere replenished and kindled anew.

What was it in the very makeup of goods that opened consumers' pocketbooks? The necessities, to be sure, came first, but the great proliferation of goods that in their making employed millions of workers, was not found in this field. It was found in goods that consumers desired but did not need, or did not need in the qualities in which they bought them or in the refined state or quality that they preferred. A pair of shoes may be a pair of shoes, but milady does not merely seek a foot cover but much else beside, in a variety of forms. Immediately such demand, if supported by cash, or credit, jumps the biological limit of two feet per person by introducing variety, style, hues and tints to match this or that design, etc., into this lowly appurtenance of living. At the same time the primary need is converted into the secondary. Some consumers make do with two or three pairs of shoes, possibly of the same color, while others would feel poor and bereft with less than a dozen pairs or a score in a variety of styles, colors, and stitches.

Undoubtedly the automobile embodies the supreme example, not only of the genius of the American productive system, in which it was a pioneer, but also of the inner possibilities and peculiarities of consumer demand.

The automobile has the advantage of being supremely useful while at the same time serving other human cravings, weaknesses, or inclinations. As a useful vehicle it represents a means of locomotion, taking man off his feet, as did and does the horse; and it bears burdens. Locomotion represents a primary need and the automobile was superior to the equine form of this commodity both in terms of speed and the poundage it could carry.

This combination would possibly have given us little more than the automotive truck; but the automobile had other advantages, real or spurious. It not only moved faster currently than the horse but promised to go faster and faster with improvements in the motor. This fact alone gave the vehicle an enviable claim on the pocketbook. Americans had an inborn desire to move faster no less than to break previous records.

Equine beauty may be of a high order if special care is blended with breeding but the ordinary horse presented no great esthetic phenomenon while the automobile could be designed to combine speed with handsome features (although it must be admitted in retrospect that automobile designers in the early years did not, contrary to the opinion of the time, hit profusely on beautiful form).

Since the automobile was never cheap, ownership set the owner apart from those who continued in a pedestrian status, and beyond that, it separated the owner of a prestige car from those who must be satisfied with a flivver or a jalopy.

This ingredient of ownership was invaluable as a sales lure and as an advertising symbol; and it came to be exploited severely. Since the automobile was not cheap but very desirable, a sharp reduction in costs would open a gold mine. To the manufacturers it was like striking at a baseball with bases loaded. A home run would deliver the thrill of a jackpot. Money would roll over the gunwales to the floor. Here was a product that had an admirable combination of assets that fitted it to the mission of bellwether of the American system. The demand was elastic and therefore could be expanded and proliferated if the right key were used.

Either actually or by legend Henry Ford (once more) perceived the golden ore that lay below the surface of ordinary purchasing power, if he but had the wit to mine it. He discovered that the best implement was a low price and used it. It did wonders; but he could not have done it with butter or eggs, wheat flour or beef—i.e., not in the sense of laying a foundation for an industry that in turn generated and heavily supported other big industries, such as petroleum, iron and steel, rubber, glass, repair shops, garages, filling stations, finance companies, not to mention mortuaries.

Between automobiles on the one end and silk hats and carillons or sweet potatoes and onions, eggs and butter on the other, there are many gradations of potential consumer demand. Not all fields are equally attractive. Some are very limited, pedestrian, and even dead or moribund. Others offer veritable fortunes to bright and energetic enterprisers. Yet, all segments are under constant probe by some bright or desperate entrepreneur who seeks not only a livelihood but may also be on the lookout for an upgoing elevator or at least an escalator to carry him to greater heights; this, so long as the outlook is considerably better than the security of working for the Government or a large corporation. These ambitious enterprisers of many ilk are the original breeders of employment.

In recent years the quest for lower costs, so essential to penetration and holding of a market, has run so hard in the old established industries that jobs have been falling by the wayside in one industry after another even as more goods come tumbling from the production lines; and our plowboys are being decimated by our agricultural efficiency and turned into tractor riders or city slickers. This means that too many are looking for too few jobs.

Even the packagers, freezers, slicers, precookers, etc., who have gone far to replace the housewives who in turn have deserted the kitchen for the office and factory, have not filled the gap. These caterers to convenience employ such highly productive methods that one worker does the work of a dozen or a score of housewives, all the while working less than half as hard.

The lag of employment in this country is very serious and will become worse as more men are disgorged from employment and whole new armies of war babies come knocking on the doors of the employment offices.

What then has happened to the vaunted American industrial system? Has it become too efficient or is it getting old and afflicted with hardening arteries, conservatism and timidity? Many are tempted to say the latter; but the characterization is solidly belied by many visible phenomena. Mechanical, chemical and other technological efficiency is displacing workers very rapidly in some industries and other pursuits, such as coal mining and agriculture while output rises. Without progressive efficiency this would not happen. Therefore the indictment of inefficiency falls.

There is another measure of the stamina of our industry that negates the charge of anemia. This is foreign investment and expansion of American business activity abroad. In this country outlays for new plant and equipment in the manufacturing industries declined 6 percent between 1957 and 1962 whereas in the foreign field they expanded at a lively rate. Output of U.S.-owned companies in Europe increased 70 percent in 1961 over 1957, compared with only a 6-percent rise in volume of manufacturing and mining production in this country from 1955 to 1961.

Employment in this country shifted heavily into the service trades, professions, commercial and governmental activities, particularly State and local government between 1950 and 1960. Since 1957 investment in these fields, such as insurance, banking, real estate, wholesale and retail trade, increased 30 percent. That is also where employment since 1950 increased faster than population growth. Again, it is an area that is not damaged by import competition. In other words, while manufacturing, mining and agriculture, all of them confronting import competition or subject to it, were releasing workers, nonmanufacturing employment rose, but yet not sufficiently to offset the declines elsewhere. The result has been a stubborn residual unemployment.

Our problem quite surely is not inefficiency; nor is it entrepreneurial anemia. Our industries are producing abundantly and many of them have idle capacity.

Why then do we not grow as fast as some other countries and in any case not fast enough to employ the unemployed? The latter is the real question, because Europe and Japan represent rather special cases. Their burst of speed was delayed about 10 years behind our feverish postwar activity; and they built more modern plants than ours to replace bombed-out facilities and obsolete plants. Their gain in productivity was phenomenal but readily explained. We were already far ahead; and they too will catch up with the pent-up war demand even as we did.

Taxes are mentioned as restraints on industrial activity; and the complaint undoubtedly has merit. High wages and high profits are also cited, but they do in any event provide purchasing power. In some industries rates of profit, moreover, are declining. This fact is widely and properly regarded as detracting from incentive to growth and expansion.

Yet there is an obvious element of industrial discouragement that is seldom cited if not ignored altogether. This is rising import competition, stimulated by the national policy of tariff reduction. The far-reaching effect of this policy in stifling growth and expansion while encouraging laborsaving installations and automation as a means of remaining competitive, has not been officially recognized. Rather, there persists a wholly irrational obstinacy against entertainment of the subject.

The effects of the policy are becoming yearly more obtrusive. Scores of our industries have been browbeaten and intimidated into silence or acceptance of a fate they know to be regressive, by a stubborn and egregious official wrongheadedness.

We witness hundreds of our firms investing billions of dollars in enterprises overseas for no reason other than the more favorable outlook for profits abroad. No surer barometer reading is needed. The signals proclaim the tragic fallacy of our policy; and we will persist in it at our national economic peril.

The problem of unemployment in the face of galloping technology has indeed been recognized; but an almost pathological shrinking from hard realities has marked the official reaction.

Unless steps that conform to the genius of the American system are taken the remedies will aggravate the problem. An increase in employment, for example, that is achieved through spot or ad hoc pumped-in money will be temporary. Pump priming cannot succeed by itself because it does not shift the self-propelling mechanism of our system into gear. It is therefore good as long as it lasts and no more, unless it is accompanied by other corrections that do restore the self-propelling mechanism to health.

The profit system, as a system, also will not come to the rescue. It is a question of the climate in which it is to operate. Our system is not one that can constantly be discouraged, handcuffed, confronted with a nagging hostility, repression and grudging toleration, and yet be expected to function bountifully. Prosperity cannot be imposed on our economy for this reason. It must be induced by looking to the climate.

The profit system can again, as it has in the past, unlock and liberate productive and managerial energies that cannot be reached or ignited by discontinuous projects dependent upon legislative appropriations. There is no likeness between such efforts to impose prosperity and the Promethean magnetism that draws forward from ahead. The one is a dead hand; the other represents the beckoning future. If that future is attractive no whip is needed. There is no future; no amount of either sticks or carrots will beget sustained locomotion.

American capital produced expansion, growth, and employment because vast potentials lay before many enterprises. The fortunes of these enterprises (with a few notable exceptions such as land grants to railroads) did not rely on doles of public money dependent in turn on legislative sentiment. They prospered because the way was open for a $500 enterprise to grow into a million or a billion dollar operation, not indeed tomorrow, but in a generation. Ramifications and growth were not only pos-

sible but beckoned to those who had the vision and the necessary qualities to fulfill it.

The real magnet was the prospects of an expansive profit, not merely on one large transaction, such as building a dam or some other public work, but through a continuing and indefinite future.

Today actual and prospective import competition is closing the door to the type of expansion that is most prolific in generating jobs. This is industrial expansion, not public works or foreign trade. In 1940 the ratio of industrial, mining and agricultural jobs to nonproductional jobs was 1 to 1. By 1950 this ratio had grown to 1 to 1.5 while by 1960 it had risen to 1 to 2. In other words one job at production now supports two nonproductional jobs; and the trend is still upward. The best employment seed is therefore the production job. Each gives rise to two others, with prospects of progressive future expansion.

Imports of finished products represent the poorest job-seeds. Raw-product imports are better, but only if they do not displace raw products produced in this country. If they compete directly they displace domestic production and do not add to employment in this country.

Exports consisting of manufactured products do represent as good employment-generating activity as production for the domestic market, and in the past our exports consisted principally of such goods.

In recent years, however, our imports have come to consist increasingly of finished manufactures and manufactured foodstuffs while the trend in our exports has been in the opposite direction, finished products representing a declining share.

These trends, which may be expected to continue, represent for us a losing game in terms of employment. Foreign trade is not our economic forte.

Yet, the impact of import competition on our economy is much more negative and repressive in other respects. The difficulty comes from pitching our system against outside systems that have not in the past or do not even now obey the economic mandates of our system, such as fair competition, both in industry and in wages, prevention of monopoly, achievement of a high mass purchasing power through high wages, freedom of enterprise, etc. Some countries appear to be following in our footsteps but their lower starting point, particularly in point of wages, confronts us with great difficulties.

We face several other stubborn difficulties. Our industry cannot be driven to do what comes naturally to it in the right climate. This is the same as saying that if the climate is not right our system will not behave in the manner that brought it world leadership. If the climate is right it will move ahead.

Do we lack products of the kind that gave to our system its many sprouting and spreading branches? Is all demand for all products saturated? Of course not. We have only to glance at the window shoppers to answer such questions.

Something else then must hinder the operation of the system.

An entrepreneur in the past could be quite confident that if he launched a new product for which there was an elastic demand he would be handsomely repaid if he found the mechanical means of reducing the costs to the common pocketbook level. If the introduction of laborsaving machinery at first displaced a number of workers, the lower price opened more than enough new demand to rehire the displaced workers. In a few years he doubled or tripled his work force. In 10 years he might have a payroll of 10 or 20 times the original.

If he found a way to reduce radically the cost of producing an existing product for which there was a greater potential demand if the price were sufficiently reduced, he might perform a similar employment feat. After first laying off workers he might in a few years' time recoup his work force and hire still more hands, perhaps many more.

The difference between the employment potentials in enterprises built around production of consumer goods, which if successful reverberate through the capital goods in the form of more demand on them—the difference between such developments and public works as generators of jobs for the present and the future, must be obvious.

Since the mid-1950's this pattern has been shattered in this country, with the exception of a handful of growth industries, such as electronics, aircraft, plastics, synthetics, biologicals, certain types of machinery, etc.

The established industries have moved backwards in terms of employment even while increasing output. A dozen leading industries during the 1950–60 decade reduced employment of production workers by 1,056,000. This means that technologically they have advanced. In point of employment, however, they have shrunk. The surge of demand that would have been expected in the past, calling for expansion of the work force, has not in many important industries come to the rescue.

The technological efforts were more negative than positive. They represented efforts to remain competitive with imports. They were not in response to a buoyant confidence that saw in the future a burst of demand that would swallow a large increase in output year after year. Instead the industries had seen their future field of demand invaded by imports that boasted the advantage derived from lower wage costs. These lower wage costs lying beyond our legislative control, were of the kind that had been regarded as competitively unfair in this country and had been outlawed through minimum wage and similar legislation to avoid shrinkage of mass purchasing power.

Little wonder then that the technological improvements that were insituted in recent years, while indeed displacing workers, did not produce the happy results of the past. An element that we could not reach (lower foreign wages) was in the field and we had dismantled our defenses or protection against it. Imported goods were supplying the increased demand that responded to lower prices and our industries were left with net displacement of workers. The backwash of newly opened demand that would have called for hiring more and more workers did not rise to a swelling tide. It was despoiled by imports.

Under these circumstances whence could come the confidence that the industries would "be able to dispose of increases in output at a profit?" (OECD quotation.)

It could come only if there were assurance that if operations were expanded or a new product launched the market would respond favorably. Such assurance cannot be given if imports have already demonstrated their capacity to capture a growing share of the market and, moreover, have access to greater shares of the market virtually without further restriction.

Indeed, today, under the provisions of the Trade Expansion Act of 1962, the domestic market outlook for industry after industry is not only bleak so far as holding the present share of the market is concerned, but forbidding so far as any expansion plans that would be of sufficient magnitude to help employment is concerned.

This would be true even if taxes were reduced both for the purpose of expanding consumer spending and industrial expansion. If consumers gain a greater disposable income they will as readily buy imports as the products of domestic industry—often more readily because of the cost-conscious nature of elastic demand. Therefore the market for competing domestic goods would not flourish sufficiently to increase employment appreciably.

Moreover, the confidence-dampening specter of a market contest with goods that do not bear the burdens of costs (i.e., imports), will not have been lifted from our manufacturers.

The genius of the American productive system which has provided unprecedented abundance, demands recognition of the conditions that gave it birth, nourished it and swept it to great heights. It cannot survive half intimidated, half free. It can live with domestic curbs and regulations within reason but it cannot surmount a paralysis of its incentive. That is what an invitation to rising competitive imports produces. These are already hitting at our leading labor-intensive industries, i.e., those heaviest in employment, while our automating industries, facing the same dismal prospect, are investing heavily overseas rather than here.

Even our growth industries such as electronics (TV, computers, etc.), synthetic fibers, plastics, antibiotics, aluminum, pleasure water craft, household appliances, etc., to which we have looked for employment that exceeds population growth can themselves no longer look forward with bold confidence to an expanding market when imports, usually with clear cost advantage, intrude upon the scene to spoil the market's promise. Seeing their market's bright future, such as would entice greater outlays, greatly bedimmed, these industries become victims of caution one by one. The old assurance of the past that lower costs would tap a rewarding consumer response is now the special stimulus to imports since they can undersell us. They gobble up a great part of the demand thus awakened and leave our industries with such little room for expansion that employment is boosted very little, if at all. Thus is lost the very matrix of our former self-propelling expansion.

This matrix must be restored not only to our growth industries if they are to continue their upward career, but to the old established industries to prevent their progressive employment shrinkage; and the hand of assurance that our system previously extended, not by way of help but through a conducive climate, to new industries must again be held out not only to new industries but to those not yet born if we are to recoup our lost ground.

The point of no return is not far distant. Therefore, early action is imperative.

Great segments of the American productive economy face a barren outlook for domestic expansion. A veritable pall has been lowered over the scene by abandonment of the unique American formula of economic growth. This formula must be restored.

Action should include an immediate 5-year moratorium on further tariff cuts such as were authorized in the Trade Expansion Act of 1962.

Second, our future policy should hold tariff reductions to 25 percent in 10 years or not over 2½ percent per year.

Third, a true remedy for the serious injuries caused by past tariff reductions should be provided.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. FINNEGAN (at

the request of Mr. ROSTENKOWSKI), for the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. EDMONDSON, for 30 minutes, on Tuesday, June 25.

Mr. MOORE (at the request of Mr. ROUDEBUSH), for 60 minutes, on June 24, 1963.

Mr. TOLLEFSON, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FINO.

Mr. ALGER and to include extraneous matter.

Mr. NELSEN to revise and extend his remarks on House Joint Resolution 247 and include extraneous matter.

Mr. SAYLOR to include extraneous matter in his remarks made today.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 17 minutes p.m.) the House adjourned until tomorrow, Thursday, June 20, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

946. A communication from the President of the United States, transmitting amendments to the budget for water resources projects for the fiscal year 1964 involving a net decrease in the amount of $360,000 (H. Doc. No. 125); to the Committee on Appropriations and ordered to be printed.

947. A letter from the Associate Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report on title I, Public Law 480, agreements concluded during May 1963, pursuant to Public Law 85–128; to the Committee on Agriculture.

948. A letter from the Comptroller General of the United States, transmitting a report on certain deficiencies in the negotiation and administration of concession contracts for national park areas under the jurisdiction of the National Park Service, Department of the Interior; to the Committee on Government Operations.

949. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to ratify certain conveyances of land on the Crow Indian Reservation"; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HEMPHILL: Committee on Interstate and Foreign Commerce. H.R. 5445. A bill to amend the Interstate Commerce Act to permit freight forwarders to acquire other carriers subject to such act, to place such transactions under the provisions of section 5 of such act, and for other purposes; with amendment (Rept. No. 421). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. House Resolution 372. Resolution disapproving the Reorganization Plan No. 1 of 1963; without amendment (Rept. No. 422). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 2221. A bill to provide for the free entry of a mass spectrometer for the use of Stanford University, Stanford, Calif., with amendment (Rept. No. 423). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 2675. A bill to extend for 3 years the period during which certain tanning extracts, and extracts of hemlock or eucalyptus suitable for use for tanning, may be imported free of duty; without amendment (Rept. No. 424). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 3272. A bill to provide for the free entry of an orthicon image assembly for the use of the Medical College of Georgia, Augusta, Ga.; without amendment (Rept. No. 425). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 5712. A bill to suspend for a temporary period the import duty on heptanoic acid; without amendment (Rept. No. 426). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 6011. A bill to continue for a temporary period the existing suspension of duty on certain istle or Tampico fiber; without amendment (Rept. No. 427). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. H.R. 5171. A bill to authorize the Administrator of the General Services Administration to coordinate and otherwise provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of electronic data processing equipment by Federal departments and agencies; with amendment (Rept. No. 428). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Fifth report on common trust funds—overlapping responsibility and conflict in regulations; without amendment (Rept. No. 429). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL (by request):

H.R. 7135. A bill to amend the act of August 9, 1955 (69 Stat. 618); to the Committee on Interstate and Foreign Commerce.

By Mr. BARRY:

H.R. 7136. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of expenses incurred by an individual for transportation to and from work; to the Committee on Ways and Means.

By Mr. FOGARTY:

H.R. 7137. A bill to provide for assistance in the construction and initial operation of community health centers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GATHINGS:

H.R. 7138. A bill for the relief of the St. Francis Levee District, Arkansas; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H.R. 7139. A bill to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. LESINSKI:

H.R. 7140. A bill to amend title 28 of the United States Code to allow defendants in suits unsuccessfully brought by the United States to recover certain costs; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 7141. A bill to amend section 6(b) of the Area Redevelopment Act to permit the 10 percent of the financing of industrial projects required to be met by a local public or semipublic body to be repaid over the same period as the Federal share of such financing; to the Committee on Banking and Currency.

By Mr. MATHIAS:

H.R. 7142. A bill to modify the application of section 207 of title 18, United States Code, relating to the disqualification of former officers and employees in matters connected with former duties or official responsibilities; to the Committee on the Judiciary.

By Mr. MORRIS:

H.R. 7143. A bill to determine the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WIDNALL:

H.R. 7144. A bill to amend title I of the Housing Act of 1949 to limit the amount of noncash grant-in-aid credit for streets to that which directly benefits an urban renewal area, and for other purposes; to the Committee on Banking and Currency.

H.R. 7145. A bill to amend the District of Columbia Redevelopment Act of 1945 to provide that the District of Columbia may receive noncash grant-in-aid credits for urban renewal projects only on the same basis as other municipalities; to the Committee on the District of Columbia.

By Mr. FARBSTEIN:

H.R. 7146. A bill to protect the right to vote in Federal elections free from arbitrary discrimination by literacy tests or other means; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 7147. A bill to provide for the issuance of a special postage stamp in honor of the late Amelia Earhart Putnam; to the Committee on Post Office and Civil Service.

By Mr. TOLLEFSON:

H.R. 7148. A bill to amend section 21 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 887), and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FARBSTEIN:

H.J. Res. 490. Joint resolution extending an invitation to the International Olympic

Committee to hold the 1968 winter Olympic games in the United States; to the Committee on Foreign Affairs.

By Mr. MACGREGOR:

H.J. Res. 491. Joint resolution providing for the designation of the week commencing September 8, 1963, as National Public Works Week; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H.J. Res. 492. Joint resolution to authorize the President to proclaim October 9 in each year as Leif Erikson Day; to the Committee on the Judiciary.

By Mr. PEPPER:

H.J. Res. 493. Joint resolution to authorize the President to proclaim the week beginning February 10 in each year as National Parkinson Week; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H. Con. Res. 183. Concurrent resolution relative to the Supreme Court decision on the reading of the Bible and offering of prayers in the public schools; to the Committee on Education and Labor.

By Mr. GALLAGHER:

H. Con. Res. 184. Concurrent resolution favoring observance on July 4 of each year, by the ringing of bells throughout the United States, of the anniversary of the signing of the Declaration of Independence; to the Committee on the Judiciary.

By Mr. BECKER:

H. Res. 407. Resolution providing for the consideration of the joint resolution (H.J. Res. 9) proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on Rules.

By Mr. HORAN:

H. Res. 408. Resolution creating a Select Committee on Fiscal Organization and Procedures of the Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FLOOD:

H.R. 7149. A bill for the relief of Adamantia G. Kounoupis; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 7150. A bill for the relief of Alan Paley and Dorothy Paley; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 7151. A bill for the relief of John R. Devereux; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

165. The SPEAKER presented a petition of Frank C. Balfour, national executive secretary, American Right-of-Way Association, Los Angeles, Calif., relative to the board of directors of the American Right-of-Way Association being requested by the National Utilities and Pipeline Committees to take active measures in opposition to certain regulations governing the use of rights-of-way over Federal lands which were issued by the Secretary of the Interior and Secretary of Agriculture, and published in the Federal Register of March 23, 1963, and being in support of equitable revision of certain regulations of November 16, 1961, which was referred to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Marketing Agent for Public Power in Southern Idaho

EXTENSION OF REMARKS

OF

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Wednesday, June 19, 1963

Mr. CHURCH. Mr. President, since the announcement that the Bonneville Power Administration will replace the Bureau of Reclamation as the marketing agent for public power in southern Idaho, advertisements have appeared in many newspapers in Idaho, paid for by the private power companies, attacking the decision. I ask unanimous consent that a statement I have prepared on this subject may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MARKETING AGENT FOR PUBLIC POWER IN SOUTHERN IDAHO

It is said that BPA power is subsidized, or is paid for by the taxpayers, and from this it is argued that the cheaper rates will not really be an advantage to Idahoans. This is not so. The BPA rate structure is geared to take care of all operating costs of the marketing agency, and to repay the capital costs of the generating and transmission facilities, with interest, within a reasonable amortization period. Funds accumulated for this purpose are now substantially ahead of schedule. The law requires that the repayment schedules must be met, from power revenues, in the years ahead. BPA rates are cheaper because the giant dams on the lower Snake and Columbia generate power efficiently, and because interest on the money to construct them is charged at about 3 percent (which is all it costs the Government to borrow this money) whereas private power companies pay to their stockholders rates ranging upward from 6 percent on the money invested. Anyone who has ever made mortgage payments knows what a difference it would make to double the rate of interest.

Some say that the private power companies now doing business in southern Idaho will be injured. This has not been the case in Oregon and Washington, where the private companies have prospered, while reducing their rates, in areas long served by BPA. There is a reason for this. The private companies justify their high rates in Idaho by saying that it costs more to deliver power to thinly populated areas, and that they could match the performance of the private companies in our neighbor States if they had large metropolitan areas to serve. Perhaps this is true. But BPA will not compete directly with the private companies. It will sell at reduced rates to the wholesale customers now served by the Bureau of Reclamation, and its lower rates will make it possible for large industrial users of electricity to bring their businesses to Idaho. This, in turn, will create new customers for the private companies, which will continue to sell to the new homes and ordinary business establishments, just as they do now. Experience in Oregon and Washington indicates that the private companies will then be able to reduce their rates, since they will be serving more customers in the same area, and still make a better profit for their stockholders.

It is argued that Idaho citizens will lose the taxes now paid by the power companies. But the private companies will continue to collect taxes from their customers, and pay them to local, State, and National governments, just as they do now. With more customers to collect from, they will pay more taxes, not less.

It is said that the lower BPA rates will not actually come to Idaho, because it will first be necessary to construct a transmission line which the Congress will not approve. This, too, is not the whole truth. The co-ops and municipalities which are now buying power from the Bureau of Reclamation will have their rates reduced, by an average of 40 percent, just as soon as new contracts can be negotiated. BPA does not have one set of rates for customers in Oregon and Washington and another for Idahoans. Co-ops, municipalities, and industrial users in Idaho will be able to buy this power at exactly the same rate they would pay if they were located next door to one of the big dams on the Columbia. BPA absorbs the cost of transmission to remote customers, just as the postal service absorbs the higher cost of rural mail delivery, from a uniform rate structure. For the time being, the power sold in Idaho will be the same power heretofore sold by the Bureau of Reclamation, which is generated in Idaho. The immediate difference is that the rates will be lowered to the BPA scale, and all of the revenues of the BPA system will be balanced against the cost of generation and distribution (which includes the cost of present and future reclamation projects repayable from power revenues) in Idaho. Studies show that new transmission facilities can be constructed when needed, and paid for, with interest, out of power revenues at the uniform BPA rate.

It is said that only a few in southern Idaho will benefit, and that this will be at the expense of those who still have to buy power from the private companies. In the first place, the number who will benefit right away from the lower BPA rate is substantial, about 25,000 farm and city families who now buy public power through their co-ops and city-owned distribution systems. In the second place, there will be no expense to the customers of the private companies. Finally, all who live in southern Idaho will eventually benefit, even if they continue to buy power from the private companies, through the lower rates made possible by increased demand, and resulting greater efficiency, in the operations of the private companies.

A few have asserted that there is something socialistic, or even communistic, about bringing BPA power to Idaho. Those who will be customers of the BPA are already buying power from the Government through the Bureau of Reclamation. It seems hardly necessary to point out that no